NATIONAL MUNICIPAL REVIEW

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The National Municipal Review

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EWS for League Members

oledo Given Award Certificate

certificate designating Toledo one ie "All American Cities of 1950" presented May 22 to Mayor Ollie usta at the seventeenth annual meet- f the Toledo Municipal League.

ie presentation was made on behalf ne National Municipal League by n H. Seed, Jr., director of field ces.

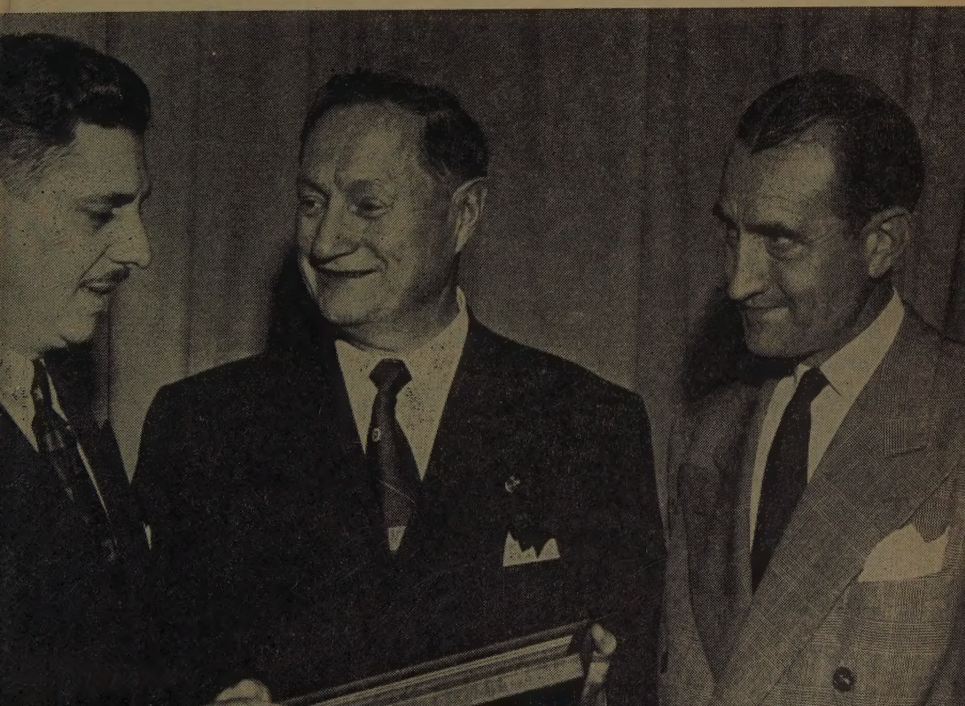
r. Seed told the meeting that the 's jury of experts at the National erence on Government last Novem- in Buffalo had included Toledo ng the eleven cities honored because telligent citizen support of the local me tax which had rescued the city dangerous financial difficulties.

e pointed out that the tax had per- ed a necessary program of capital improvements, freed the city of debt and provided "an outstanding example of progressive financial management in a metropolitan community."

Mayor Czelusta, in accepting the certificate on behalf of the city, described the improvement of public services since Toledo adopted the council-manager form of government fifteen years ago when Mr. Seed was executive secretary of the Toledo City Manager League.

Other places which will receive similar certificates are: Cincinnati, Hartford, Kansas City (Missouri), Montclair (New Jersey), Montgomery County (Maryland), New Orleans, Phoenix, Portland (Maine), Richmond (Virginia), and Youngstown (Ohio).

to right: Ronald E. Gregg, Executive Secretary, Toledo Municipal League; Mayor Ollie Czelusta of Toledo; Allen H. Seed, Jr., Director of Field Services, National Municipal League.



Faulkner Heads Nominating Committee

Because of the impending retirement of Henry Bruère from the League presidency as well as from active business life, this year's nominating committee again faces the problem of proposing a candidate at the annual meeting in November.

Suggestions have been invited by Bayard H. Faulkner, vice president of the Seaboard Oil Company and chairman of the New Jersey Commission on Local Government, who has accepted the chairmanship of the nominating committee.

"The committee seeks someone who has distinguished himself not only in private life but also in unselfish civic service," Mr. Faulkner said.

"He should be a man in the tradition of the League's former presidents — James C. Carter, Charles J. Bonaparte, William Dudley Foulke, Lawson Purdy, Charles Evans Hughes, Henry M. Waite, Frank L. Polk, Richard S. Childs, Murray Seasongood, Harold W. Dodds, C. A. Dykstra, John G. Winant and Charles Edison."

In addition to Mr. Faulkner, members of the nominating committee are: Frederick L. Bird, director of municipal research, Dun & Bradstreet; William Collins, president, Walter Kidde Constructors; Herbert Emmerich, director, Public Administration Clearing House; and Carl H. Pforzheimer, president, Carl H. Pforzheimer Company.

The committee also will make nominations for first and second vice presidents, regional and honorary vice presidents, and for ten vacancies in the Council to replace the following, whose terms will expire at the end of 1951:

Frederick L. Bird, New York; Albert D. Cash, Cincinnati; L. P. Cookingham, Kansas City, Missouri; James A. Cu ningham, Chicago; Arnold Frye, N York; Mrs. Siegel W. Judd, Gra Rapids, Michigan; Mrs. Virgil Loeb, Louis; Mrs. Thomas H. Mahony, B ton; Walter M. Phillips, Philadelph and Henry L. Shattuck, Boston.

Bayard H. Faulkner

The committee will hold a series meetings during the next several mon and issue a report, either in the Revi or by mail to members, at least 30 d prior to the annual meeting, where ditional nominations to fill vacanc may be made.

The election will be held at the me ing of League members the afterno of Monday, November 26, at the Neth land Plaza Hotel, Cincinnati, in conn tion with the National Conference Government.

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Editorial Comment

More Work for an Angry People

THE editorial "What Can an Angry People Do?" in the May NATIONAL MUNICIPAL REVIEW[1] laid out a comprehensive long range program of action for citizens anxious to exterminate politico-criminal alliances. Since then the eagerly awaited report of the Kefauver Committee has appeared.

Although the theme of the report is that "the crisis of law enforcement . . . is basically a state and local crisis," its concrete suggestions as to what each state and community should do have not been very fully reported in most of the newspapers. Consequently, excerpts from the Kefauver report, including seven broad recommendations for state and local action, are printed in this issue (see page 354).

Considering that the mandate of the committee required it to concentrate on possible federal action, its suggestions regarding state and local government are remarkably penetrating and comprehensive. They include a number of the "cures" suggested in "What Can an Angry People Do?" In the nature of the case they concentrated on more or less immediate and short range rather than on some of the long range cures that must be effected in order to eradicate the basic causes of the scandal that has been uncovered.

They do, however, put a good deal of emphasis on the necessity for pretty fundamental reforms in county government and on the difficulty of securing responsible and competent law enforcement in a metropolitan area that is cut up into many small and illogical governmental units.[2]

On one important matter the Kefauver committee apparently did not see the possibility and the need for drastic action by federal officials. "The federal government can do little about the influence which gangsters and racketeering elements exert upon local political organizations." As was pointed out in "What Can an Angry People Do?" the tieup between state and local politics through national party organizations gives federal appointing authorities, specifically the president and members of the United States Senate, as well as politically appointed federal enforcement officers, a tremendous influence upon local political organizations.

Consequently, the elimination of the spoils system in the Internal Revenue Bureau, the Department of Justice and other federal appointments should be one of the most important objectives of federal action to break up politico-criminal alliances. We repeat, "there is not the slightest reason why the president or any member of Congress should have political jobs to give out that would be of the slightest interest to a local political organization."

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[1]Reprints available at 10 cents each, 75 cents for 10, $5 for 100.

[2]See also "Escape to the Suburbs," editorial, the REVIEW, April 1951, page 184.

Spare That Rod

THE initiative and the referendum have been a handy "stick behind the door" for citizens frustrated by unresponsive or irresponsible state and local legislatures. Everyone would agree that the referendum is a must on revisions or amendments of state constitutions and local charters. The romantic notion that direct legislation might provide the equivalent of the town meeting as a source of ordinary legislation in a modern state or city has, however, been belied by experience. Neither the initiative nor the petition referendum on ordinary state or local legislation is worth bothering with except as a method of by-passing or reining in a balky legislature or city council, and in rare instances of getting a formal expression of public opinion on a major question of policy.

The natural limitations on the usefulness of direct legislation tend to highlight the misuse of it. The article by Edward F. Dow, "Portland Limits Initiative" (page 347), calls attention to an all too common misuse of the initiative and to one possible method of curbing it. As Professor Dow points out, salaries, and sometimes pensions, of particular classes of public employees, especially policemen and firemen, are often determined by popular vote. In many cases the petition is circulated by the employees themselves or by their next of kin and best friends to the accompaniment of "arguments" that are hardly better than outright blackmail.

Frequently the proposals are in themselves meritorious, but they are not necessarily so. In any event, it is impossible to deal properly with the salaries, hours or other conditions of employment of one class of public employees apart from all other employees of the same government. In modern practice this involves a complicated procedure for classifying and rating jobs and assigning pay scales that are commensurate with one another and with the total needs and financial capacity of the government.

No one would claim that this sort of thing could be worked out in a true town meeting, much less by voluntary petitions followed by a ballyhoo campaign and popular vote. A modern classification and pay scale cannot even be developed by a hard working municipal legislative body. It is essentially an administrative matter—one that must be worked out objectively by experts within broad policy limits set by the governing body or legislature.

This is the basis of the action taken by the city of Portland, Maine, and sustained by the State Supreme Court, to exempt such matters from the application of the initiative, on the ground that they are essentially administrative rather than legislative in character. This Portland precedent is worth serious consideration in other cities and states, especially where, as in New Jersey, virtually the only use of the local initiative has been to vote on special questions for policemen and firemen.

Professor Dow mentions a slightly different abuse of direct legisla-

tion in the defeat by an insignificant referendum vote of a zoning amendment directly affecting only a very few people in Bangor. A zoning ordinance is an important legislative or policy-making act. But like a pay plan it is impossible to develop a proper and consistent zoning structure in a mass meeting or even in a council meeting. It must be developed through the administrative process. Experience has shown that it is hard enough for a city council to refrain from lousing up a zoning ordinance by making repeated exceptions. It is preposterous to expect a majority of the people of a whole city to come to the polls and vote advisedly from time to time on minor zoning amendments.

Regrettably, people almost never vote as heavily even on major public questions as on personalities running for office. This fact has led some states to provide that a measure on which a given percentage of the voters fails to register opinions shall be defeated. This turns the indifferent voters willy nilly into "no" voters.

Thus, the will of a minority of the voters who know and care enough to vote on a question may prevail over that of the majority of such voters. This reduces "majority rule" to a dangerous absurdity by converting it into government by the politically inert. Questions that are not of sufficient general interest or importance to make it reasonable to accept the verdict of a majority of the people who take the trouble to vote on them had better be determined by the method of representative rather than of direct democracy

It would be too bad to have t throw the direct legislation stic once and for all into the wood bo But if it is to be kept steps need t be taken to keep it from becomin an "attractive nuisance" constantl tempting pressure groups and sma minorities to play ducks and drak with public funds and community wide interests. The limits as well a the proper uses of the initiative an referendum need to be better d fined and understood.

Responsible citizens should, course, resist improper proposals f the use of the initiative and the refe endum even when they may seem t be in their own special interests. Th Portland experiment may, howeve point to the possibility of bett legal definition of the proper scop of direct legislation which can pr long its useful life by depriving of some of its capacity for mischie

The *Model State Constitution* pu other specific limitations on th initiative, forbidding its use as means of making appropriations of naming any person as an admi istrator of any agency to be esta lished by the proposed act. The limitations are in line with th Portland precedent and equally a plicable to the local initiative.

Of course, the best and surest wa to keep direct legislation in its pla is to have representative and r sponsive state and local legislature This means reapportionment in mo states and some cities and perha a wider use of the recall.

Portland Limits Initiative

Voters and court approve keeping administrative matters such as tax levies, wages and hours in hands of officials.

By EDWARD F. DOW*

THE government of Portland, Maine, has won a decisive victory in its effort to remove strictly administrative matters from the province of initiative and referendum procedures. An ordinance passed by the city council last fall eliminates appropriations, tax levies and the wages and hours of city employees from direct control by the voters. The ordinance has not only been approved at the polls but has also been upheld by the Maine Supreme Court.

Initiative and referendum provisions appear frequently in municipal charters and ordinances, placed there as a defense of the common man against arbitrary acts or neglect on the part of representative government. As a "gun behind the door," direct legislation is intended to supplement, not to displace, the work of local legislatures and administrators. There is always the danger, however, that irresponsible pressure groups may abuse their direct legislative privileges if allowed to do so by the ignorance or apathy of the public.

The initiative and referendum are means of *direct legislation* and were never intended as means of *direct administration.* Because of the breadth or indefiniteness of municipal legislative powers, however, or the breadth or lack of clarity in the enabling legislation, the initiative and referendum may be used in matters not properly legislative in nature. Thus, when four Michigan communities voted November 7, 1950, on proposals to reduce the work week of firemen, they were being asked to decide questions which may well be within the scope of direct legislation as defined by Michigan law but which, nevertheless, are administrative in character. Similar occurrences in New Jersey, New York and other states raise the question as to whether the problem may not be more widespread and significant than is generally realized.

In all direct legislation there is the possibility that minority legislation will result—perhaps that is one of the chances we take with the democratic process. When we add the further complication that arises when the public is asked to decide on matters of a technical and detailed nature, beyond its competence or interests, it seems time to reexamine the procedure. Will it be possible to save the principles of direct legislation while spelling out a workable distinction between matters which are administrative, and therefore should not be subject to

*Dr. Dow is professor of government and head of the Department of History and Government at the University of Maine. Co-author of *City Manager Government in Portland, Maine,* Dr. Dow is the initiator and director of his university's course in public management, many graduates of which have become city managers.

popular vote, and those which involve broader questions of policy?[1]

Problems involving the initiative and referendum have arisen recently in Maine.

A zoning amendment enacted by the city council of Bangor was subjected to referendum and defeated on February 5, 1951, by a small fraction of the voters—the "no" vote equalled 3.4 per cent of the registered voters. When the council determines that a change in zoning regulations is beneficial to the city, shall a small number of citizens in the area directly affected be allowed to prevent the change? The average voter does not know or care about the issue.

Use of Initiative

From 1923 to 1950 the initiative procedure provided by the Portland city charter was begun twelve times but reached the election stage only four times—1926, 1938, 1939 and 1941. All four issues dealt with zoning and all were approved by the voters. Two of the proposals which failed to get on the ballot concerned firemen. In 1948 a petition asked the council to call an election on the question of increasing the number of full-time firemen on Peaks Island. The corporation counsel advised the council that this was an administrative question. In 1949 the firemen asked for a reduction in the work week and again the law officer ruled that the problem was administrative and therefore not a proper subject for the initiative. The firemen did not take the question to court.

Members of the Portland police force petitioned the city manager to include a 20 per cent raise in patrolmen's base pay in his 1950 budget. The manager firmly refused. The following month the police sought to affiliate with the American Federation of Labor but were told that police rules and regulations enacted by the city council in 1933 forbade affiliation with any organization outside the department. Organization attempts were abandoned but the local Police Benefit Association presented a new wage demand, this time for a 10 per cent raise. The manager again refused to recommend the proposed increase and gave his reasons in detail (January 1950). Thereupon the Police Benefit Association initiated a wages and hours ordinance increasing the minimum pay and setting maximum hours of work. The corporation counsel ruled that the ordinance dealt with administrative matters under control of the manager and council and advised the council not to call an election.

Through its attorney the association asked the Maine Supreme Court to issue a writ of mandamus ordering the city council to call an election. The case (*Anderson et al.* v. *Colley et al.*) was heard at the March 1950 term where a unanimous court denied the writ of mandamus deciding that the fixing of police pay was not subject to direct legislation.

The court's action was not based on any abstruse theory concerning the separation of powers doctrine but on a specific clause in the city char-

[1]The author would welcome comments on the problem discussed in this article. What phases are evident in your state? What has been done to remedy or clarify the situation either by law or court decision?

er (article VI, section 5) which ates that the salaries of patrolmen re "fixed by the city manager, sub- ect to approval by the city council." he proposed ordinance would have et minimum pay and thus in effect ould have amended the charter, and ne voters might have altered a ocument enacted by the state legis- ature and not legally subject to ange by the voters or the city ouncil. Maine is not a home rule ate; city charters are adopted as ecial acts of the legislature.

New Procedure Adopted

The Portland charter (article III, ection 10) provided that direct legis- ation could not be amended or re- ealed except by vote of the people, ence giving a condition of perma- ence to initiated measures which ight seriously interfere with the leg- lative and administrative powers of ne city. Any pressure group impos- ng its will through initiated legis- ation might cause serious financial ifficulties, unbalancing the budget nd even endangering the credit of he city. The Anderson case did not revent other fiscal matters from be- ng initiated as it covered only the alaries of police patrolmen. The ortland charter provided that the nitiative could be used on "any pro- osed ordinance, order or resolve." resumably any exceptions to this road terminology would have to be ound in the charter, as was done in he Anderson case. Corporation ounsel Shur's argument in that case ummed up the dangers of the exist- ng situation when he said in part:

> It is equally impractical, if not impossible, for the people at large to have or digest the information, data and facts which are necessarily incident and essential to the forming of a clear, accurate and fair judgment upon the subject matter of wages as they affect not only the particular men involved but also in the larger sense as they affect such matters as wages of all other employees, the tax rate, capital improvements, municipal services, statutory obligations, all of which go into the making of the financial structure of a city. The wages of police officers are not in and of themselves a thing apart. The problems involved in managing a large city, in which exist ever pressing needs relating to schools, health, public safety, adequate roads, welfare, sewers and housing, are intricate enough without having some group concerned only with its own interest, interfere with the over-all watch-like precision that is so necessary in administering the affairs of a city.

How could Portland avoid the danger of future public interference in administrative matters? A charter amendment would require legislative action. The city solicitor suggested that an easier method would be to enact an ordinance setting up entirely new procedures, on the theory that the existing charter provisions were unconstitutional. Although this point was ignored by the Supreme Court, Mr. Shur had already argued in the Anderson case that the charter provisions were in conflict with the Maine constitution (article XXXI, section 21), which says:

> The city council of any city may establish the initiative and referendum for the electors of such city in regard to its municipal affairs, provided that the ordinance establishing and providing the method of exercis-

ing such initiative and referendum shall not take effect until ratified by vote of a majority of the electors of said city, voting thereon at a municipal election.

The city council of Portland had never established the initiative and referendum by ordinance; the charter provision existed by virtue of special legislation which failed to comply with these requirements of the constitution. On these assumptions an initiative and referendum ordinance was introduced in the council on October 16, 1950, passed by the council and submitted to and approved by the voters of Portland at the regular municipal election, December 4, 1950. It became effective January 3, 1951.

Ordinance Provisions

The ordinance provides protection against the danger of interference in certain types of administrative matters by the following language: "After passage and approval of this ordinance as provided herein, neither this ordinance nor ordinances dealing with appropriations, tax levy, or with wages and hours of city employees shall be subject to the initiative and referendum provisions herein established."

Another provision of the new ordinance allows the council to repeal or amend an initiated or referred ordinance after five years, without popular vote; meanwhile the measure may be repealed or amended by direct legislation. Under the charter there was no possibility of council amendment or repeal, as direct legislation could not be altered except by another vote of the people.

Bitter legal battles were staged by the police over the new ordinance. The first move, made in November 1950, was a request for an injunction to prevent the ordinance from being placed on the ballot. The Supreme Court of Maine denied this. The second move, begun at the same time, sought to have the city ordinance declared unconstitutional. This likewise failed; the Supreme Court denied relief on technical grounds.[2] Finally, the police sought to compel the Portland city council to place on the ballot a proposed initiative and referendum ordinance more favorable to their cause. The court again refused to agree, holding that mandamus would not be issued if to no avail; the police ordinance would be void if accepted by the voters, as in conflict with the city ordinance adopted under provisions of the state constitution.[3]

The Portland city government is at least momentarily victorious in its effort to remove administrative matters from the province of direct legislation. Must every municipality lose the battle unless it can get ordinance or charter provisions setting up specific limitations on the subject matter available for direct legislative action? Constitutional or statutory limitations would appear to be preferable.

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[2] *Attorney General vs. Frost et als* and *McLaughlin et als vs. Colley et al*, opinion of the Supreme Judicial Court of Maine, week of April 23, 1951. Undated office copy of decision furnished the author by the court.

[3] *Ibid.*

Have I Kept The Faith?

Retired industrialist, looking back on his omissions as a citizen, challenges today's businessmen to give leadership.

By COLBY M. CHESTER*

TODAY I am speaking to you as one citizen to another—deliberately and, I hope, pointedly so. Some of you may be no little surprised at this, because during the last twenty years or more most of us in public utterance speak as one businessman to another.

But now current events help show the error of this customary way. In the past I seem to have been neglectful of an extremely important part of my heritage as an American. To be sure, I worked at business citizenship and all that the term seemed to imply at the time. But today it is clear there was, all along, too much emphasis on business and not enough on citizenship.

My years, of course, have helped make today's conclusion easier for me than it might be for most of you. Officially, you see, my condition is known as retired. Retirement had two effects. It gave me a whole set of new jobs and interests. And it had the special virtue of making me wonder whether I had unheedingly allowed my business interests to keep a padlock on my lips.

Anyway, deep within me now is the feeling that I have been emancipated and stand before you as a free American. As a citizen I sit in judgment on myself, the businessman—a man who has sat where you are sitting today. Have I kept the faith that was instilled into me during the early, formative years?

For too many years, I can see now, I simply left many of the concerns of citizenship to others. More than a few of these others, of course, were professional citizens. But the warning in that thought was engulfed by the ever-present concerns of business.

Oh, it's all right for businessmen to speak quietly in their churches, on subjects appropriate there. Or they're privileged to talk about their hobbies—provided, of course, that these in no way impinge upon controversial subjects. I know well that many able, thinking businessmen sense the padlock on their lips.

You know that confusion now reigns in this land of ours. You know that most people are in a stew—a state of agitating worry—over the goings-on in governmental and other public life.

All decent people are fed up with open robbery and graft by king-pin characters of what was once considered the underworld. This form of piracy is perverting the minds of many young Americans and hopelessly discouraging millions of others

*Mr. Chester, honorary chairman of General Foods Corporation, began his career as a lawyer associated with Charles Evans Hughes and in other firms before becoming a prominent industrialist. He is director of various banks and corporations and has been a leading figure for years in Red Cross and other activities. This article is part of an address delivered by Mr. Chester before the Bridgeport, Connecticut, Chamber of Commerce on May 28, 1951.

who show signs of begetting a nation of skeptics. The bad men of the land are aborting the very teachings of our churches and schools.

In a community where I have resided, it came to light that the town treasurer was short in his account. He had done some private speculating with town funds, in an amount that wasn't hay. But you'd think it was hay, the way the local taxpaying businessmen side-stepped due action against the town official. To be sure, the man came to trial, got a six-months jail term and was confined—in a hotel.

A Padlock on His Lips

Some of us had turned out to be poor citizens. We groaned privately, said little or nothing publicly about a criminal practice, for fear our words might backfire and affect business. We stayed out of local politics, to the injury of our own souls and our democratic form of government. We just left the dirty work to those who had preempted it. Thereby, we encouraged dirty work. If we had deliberately tried to, we couldn't have rendered our country a greater disservice.

"It isn't safe for a businessman to talk politics." There's your padlock. His lips are sealed from force of habit; he retreats at the mere thought of expressing openly forthright opinion on issues of national, and even local, citizenship.

You will note that I said "citizenship" where I might just as well have said "politics." There are two reasons for this switch of terms: One, despite my feeling of emancipation I still tend to retreat at thought of the old taboo. And, two, the more all of us think and act in terms of our citizenship, the sooner we will be able to right the wrongs that exist in the low strata of local and national politics.

There is a saving total of leadership lying dormant in the ranks of American businessmen. What am I getting at? Do I mean to say that you, and other businessmen like you, must renounce considerations of business in favor of politics—or citizenship? No, I certainly do not suggest that you neglect business.

We are in agreement, I am sure, that business has provided the lifeblood of our country and made it great and powerful. Our power is homeland power. That is our greatest edge over our present foreign enemies as well as some of our allies. Our business enterprise is at once the despair of our enemies and our own hope for peace and universal happiness.

It is my belief, further, that American business, as such, is today basically as honorable, as socially minded, as conscious of and as worthy of, its great responsibility as any group of citizens in this or any other land. In the course of their accomplishment, our businessmen have written a social philosophy. No other group or country in the world has written a fairer, more workable philosophy.

No, the fault that I have been implying all along is not with businessmen as a group. The fault is more with businessmen as individuals. One comes upon it when he asks himself, "Have I kept the faith?"

As individuals, in our pursuit of new products and ever increasing production and profits, we have become materialistic to a point that causes Henry Cabot Lodge to say:

> I wonder whether in recent years we have unwittingly come to accept the totalitarian concept that the end justifies the means, a concept that is fundamentally and completely antagonistic to a true domestic society. Democracy is, I believe, more likely to be destroyed by the perversion of, or our abandonment of, its true moral principles than by armed attack from Russia.

Principles vs. Angles

As businessmen we have tried to carry our heads high, but we have been none too successful even in that. We could not be. For, with the padlocks on our lips and all but driven underground by false fears, we lost much in morality and self-respect. There is no surer sign of that than some of the phrasings coined in the past decade or two. Once we said, "That man has principles and integrity; he is a man of conviction," to express our highest approbation. Now we say, "Oh, that fellow is smart; he knows all the angles."

Well, angles are no token of spiritual depth. They cannot indefinitely stand off the autocracy that menaces our way of life from both without and within our shores.

I do not recall that anyone ever said Abraham Lincoln knew "all the angles." We came to admire him for his principles and the courage with which he voiced his convictions. One of these he put this way: "If destruction be our lot, we must ourselves be its author and finisher. As a nation of free men we must live through all time or die by suicide."

It was Lincoln's depth of spirit, not his knowledge of angles, that held our nation together. The general bewilderment of the 1860s did not bewilder him.

It is only within our century that bewilderment has become world wide. In the bewilderment of the 1950s we need clear-minded, unselfish leadership as mankind has never before needed it.

> God give us men. A time like this demands
> Strong minds, great hearts, true faith and ready hands!
> Men whom the lust of office does not kill,
> Men whom the spoils of office cannot buy,
> Men who possess opinions and a will,
> Men who love honor, men who cannot lie.

Holland's words may be old stuff to cynics. They never have voiced so great a need as they do now.

No, I do not mean that businessmen should neglect business in favor of citizenship. That isn't necessary. But I do have faith and hope that you and other businessmen will find ways to practice both business and citizenship on a par. In fact, the way to better business is through better citizenship.

Meanwhile, I pray that you give due thought to producing the kind of political leadership you now produce for business. Many businessmen have shown themselves to be men of integrity and foresight and conviction—in business. Opinion surveys have shown that people

(Continued on page 390)

Crime Up to States and Cities

Kefauver committee makes seven broad suggestions fo effective action against politico-criminal alliances

ANY program for controlling organized crime must take into account the fundamental nature of our governmental system. The enforcement of the criminal law is primarily a state and local responsibility. While channels of interstate communication and interstate commerce may be used by organized criminal gangs and syndicates, their activities are in large measure violations of local criminal statutes.

The crisis of law enforcement which has been uncovered by the [Kefauver] committee is basically a state and a local crisis. The federal government does not have responsibility for the widespread gambling and vice conditions it has found in such places as the Miami area; the parishes outside of New Orleans; the Covington-Newport areas of Kentucky; Bergen County, New Jersey; several counties in California and Illinois; and Saratoga, New York. The responsibility is basically one that must be shared by local and state agencies of law enforcement as well as by the citizens of the various communities who tolerated such conditions. As J. Edgar Hoover pointed out in his statement to this committee, "The federal government can never be a satisfactory substitute for local sel government in the enforceme field."

The federal government, mor over, can do relatively little to assi local citizens and officials in the r moval of local law enforcement o ficials who have accepted mone from gangsters and racketeers or wh have actually participated in crimin operations. The federal governmer can do little about the influenc which gangsters and racketeerin elements exert upon local politic organizations. The federal gover ment can do even less about the in efficiency and ineffectiveness of loc law enforcement agencies. Nor ca the federal government correct th diffusion of responsibility and th "buck-passing" which take place be tween independent law enforcemer agencies operating in the same cou ty or in the same metropolita area. Finally, the federal gover ment can do nothing to correct th misguided leniency of state and loc judges who impose small fines o short jail sentences in racketeerin situations.

The breakdown in law enforcemer is not entirely due to corruption o law enforcement officials or to th use of political influence to paralyz law enforcement processes. Much o the responsibility must be place upon the present organization of la enforcement agencies. In metro politan communities like Cook Cou ty, Illinois; Los Angeles County California; or Bergen County, Ne

*This article is made up of excerpts from the recently issued Kefauver report on crime conditions in the United States, i.e., *Third Interim Report of the Special Committee to Investigate Organized Crime in Interstate Commerce.* U. S. Senate Report 307, 82nd Congress, First Session, 1951. 195 pages.

ersey, there is a congeries of independent local police forces covering the county. In addition, a heriff's office with wide law enforcement responsibilities and the state olice with a wide jurisdiction to enforce state laws may also operate ithin the county.

There is no centralized direction r control and no centralized responsibility for seeing that a single niform law enforcement policy is pplied over the entire geographic rea of a county. The situation nds itself to buck-passing and asion of responsibility which can nly inure to the benefit of gangsters nd racketeers. It makes it possible or hoodlums to find those cities and owns where law enforcement is lax nd to concentrate their operations here.

While the federal police and prosecuting agencies cannot be substituted or state and local law enforcement n dealing with organized crime, the ederal government still has a major nd vital responsibility in this field. The federal government must provide leadership and guidance in the truggle against organized crime, for he criminal gangs and syndicates ave nation-wide ramifications. It hould establish additional techniques to provide maximum coordination in law enforcement agencies to insure complete efficiency. It ust help work out techniques for ecuring better interstate cooperation n dealing with crime. In addition, he federal government is under certain positive obligations to use owers presently available to it gainst organized criminal gangs. It s the responsibility of the federal government to see that the channels of interstate commerce, transportation, communication and the United States mails are not used to facilitate the operations of organized criminal gangs and syndicates. It is up to the federal government to see that gangsters and racketeers are stripped of as much of their ill-gotten gains as possible through vigorous enforcement of the income tax laws.

Task of States, Localities

In order that state and local law enforcement machinery and procedures be strengthened and become more effective in dealing with organized crime, the committee makes the following suggestions of a broad nature.

I. A committee might well be appointed in each state to make a thorough-going investigation of the problem of organized crime.

The fact that so many of the conditions which breed organized crime are beyond the reach of federal authority makes it absolutely vital that the various states institute sweeping inquiries into organized criminal conditions within their borders. The able reports and recommendations of the special crime study commissions appointed by Governor Warren in California indicate how effective such inquiries can be in formulating state and local policies in dealing with organized crime. Noteworthy state action has been taken in Ohio and Illinois by Governors Lausche and Stevenson. It should be noted that the disclosures resulting from our hearings in New York prompted the appointment by Governor Dewey of a five-man crime

commission to investigate and act against racketeers and "the links between organized crime and units of state government in New York State." The action of these and of other governors should be emulated in other States.

II. Grand jury investigations could well be instituted in every community in which wide open gambling and racketeering conditions exist, so that local responsibility for such conditions can be fixed and determined.

The grand jury is the traditional organ of law enforcement charged with the responsibility of uncovering corruption in government and misfeasance and nonfeasance in office of public officials. Under adequate leadership grand juries can do a great deal to help local communities clean house. Steps should be taken in each state so that grand jury attention can be focused upon local conditions that contribute to organized crime. In order for grand jury inquiries to be effective, they must be freed from such hampering restrictions as are found in the Illinois laws which limit the terms of grand juries to 30 days.[1]

Surveys Suggested

III. It might be advantageous for each state to institute a survey of its law enforcement agencies with a view toward bringing about greater cooperation between agencies, greater centralization of responsibility for lax enforcement o the criminal law and greater ef ficiency.

The committee has been impresse by the failure of independent loca units of law enforcement to work to gether harmoniously to eliminat gambling and racketeering con ditions from their communities. I metropolitan areas there usually ar large numbers of independent city town and village police forces, whic work together or refuse to cooperate as they please. The sheriff of th county operates independently o other law enforcement agencies an frequently pursues law enforcemen policies which are diametrically op posed to theirs. The district at torney, or the state's attorney, some times works with and sometime against both the police and th sheriff. Exactly who is responsibl for what in the law enforcemen field is frequently a matter of con jecture and dispute. The ver organization of law enforcemen agencies in local communities make it difficult to fix responsibility fo widespread violations of the crimin law.

The committee cannot find th answers to the problems which loc organization of law enforcemen presents with the data present available. The patterns of local la enforcement are deeply embedded i the constitutions and laws of th several states. They were evolve at a time when conditions of life we much simpler and when crime co ditions were not as complex as the are today. They require thorou overhauling and a thorough reexan

[1] A bill enacted by the 1951 Illinois legislature changes this to a total of 90 days for grand juries in Cook County. See the REVIEW, May 1951, page 267. Editor.

nation in the light of what is required to combat present-day syndicated and organized crime. The several states cannot hope to control jet-plane criminality by the horse-and-buggy methods evolved in the early nineteenth century.

Problems to Consider

Any survey of state and local law enforcement agencies must consider such problems as:

1. The combination of small independent local police forces into larger regional units which will be adequately staffed and equipped to make criminal investigations and to deal with organized crime,

2. The elimination of the law enforcement responsibilities of the sheriff's office,

3. The more adequate policing of rural areas by state police units,

4. The closer integration of local police forces and local police activities with the work and efforts of state police units,

5. The provision of better methods of recruiting and training local and state police officials,

6. The provision of higher standards of pay for persons engaged in local law enforcement work,

7. The elimination of the traditional coroner's office and substitution of adequately staffed and equipped medical examiners' offices,

8. A clearer definition of the function and the responsibilities of the local prosecutor in connection with the investigation of criminal cases,

9. The steps necessary to secure greater stability of tenure and greater professionalization in the local prosecutor's office,

10. The provision of a greater degree of centralized control of the work of local prosecutors, either through the attorney general or the governor's office,

11. The tightening of legal provisions concerning the removal of lax and faithless law enforcement officials, who fail to carry out their sworn duties,

12. More law enforcement officials should be brought under civil service regulations; in some places these regulations should be revised in order to facilitate the separation from the service of corrupt and/or inefficient enforcement officials.

Surveys of state law enforcement agencies which come up with answers to such problems will make vital contributions to the improvement of methods of dealing with organized crime.

Special Racket Squads

IV. Organization of rackets and special purpose squads in each state with sufficient manpower and authority to make investigations and arrests in connection with organized criminal activities would be helpful. Such squads are particularly desirable on both the state and local levels in connection with the suppression of narcotics traffic.

State surveys, which would provide data for fundamental changes in law enforcement organizations, will take a long time. In the meantime the state governments must take the initiative in dealing with

the immediate problems presented by organized crime.

The need for state law enforcement activity is particularly acute in the suppression of the illicit sale and distribution of narcotics. Racket squads would also be very valuable in other fields of criminal activity in which organized criminal gangs are presently engaged. Where local enforcement breaks down in connection with gambling operations, for example, conditions can be materially improved by state police squads acting under the direct authority of a vigorous governor.

V. Each state would do well to analyze the provisions of its criminal law and its sentencing practices so as to make certain that deterrent sentences are imposed upon offenders engaged in criminal activities connected with organized crime.

Organized criminal activities cannot be controlled by the imposition of small fines. Yet this is the normal technique for dealing with such racketeering activities as bookmaking and the numbers, or policy, game. This has absolutely no deterrent effect upon key individuals who control the rackets or upon the small fry who are normally brought before our courts. The fine is looked upon merely as an expense of doing business and is usually paid by the banker of the policy game or the backer of the bookmaker. When subordinates in the racket understand that they are exposing themselves to prison sentences and that their employers cannot absorb penalties imposed upon them, they will be less likely to engage in illegal activities. Similarly, more drastic penalties appear to be indicated in connection with the violation of state narcotics laws. It is the considered opinion of the Federal Bureau of Narcotics that drug peddlers can only be controlled by drastic penalties.

VI. Each state should consider legislation making it possible to deprive any establishment of its license which permits gambling games or gambling operations on its premises.

Local and state licenses are required from many different types of establishments—hotels, night clubs, taverns, restaurants, candy stores, etc. Racketeers frequently use such establishments as locations for slot machines, punchboards and other gambling games or conduct other types of gambling operations, such as bookmaking or the collection of policy numbers on these premises. In Minnesota, Wisconsin and Iowa, statutes have been enacted which make it possible to strip such establishments of their license to do business if they are permitting gambling operations to be conducted on their premises.

A Citizens Commission

VII. A citizen crime commission charged with the duty of observing the activities of local law enforcement agencies and with the duty of observing and reporting on local crime conditions would be helpful in each large community.

Public apathy has in large measure been responsible for many of the

conditions disclosed by the committee. This apathy is due in large part to a lack of knowledge of crime conditions on the part of the citizens living in the cities visited by the committee. Even where some knowledge was present, the leadership to do something about malodorous crime conditions was frequently lacking. The function of a local crime commission is to provide both knowledge and guidance. Its task is to expose pitilessly the racketeers who grow fat on crime and their allies in law enforcement and in political organizations. Local crime commissions have contributed considerably to more effective methods dealing with crime in such cities as Chicago and Miami and have pointed the way to the kind of public service that such organizations can render. The committee notes with approval the organization of the Greater New York Crime Committee in New York City. Similar organizations should be set up in every metropolitan area.

The evidence of corruption and connivance with organized crime in state and local government is present in four different forms:

(1) Direct bribe or protection payments are made to law enforcement officials, so that they will not interfere with specific criminal activities;

(2) Political influence and pressure of important officials or political leaders is used to protect criminal activities or further the interests of criminal gangs;

(3) Law enforcement officials are found in the possession of unusual and unexplained wealth;

(4) Law enforcement officials participate directly in the business of organized crime.

At the local level, the committee received evidence of corruption of law enforcement officers and connivance with criminal gangs in every city in which it held hearings.

There was considerable evidence before the committee concerning contributions to political campaigns by gamblers and gangsters. For example, [William] Molasky contributed $2,500 to the gubernatorial campaign in Missouri in the hope that he would be given the right to name a member of the St. Louis Police Board. When he was unable to do so he claimed to have been double-crossed. Pat Noonan, an associate of the mobsters in the Binaggio gang, did considerable political work in the campaign to elect Governor Smith. Much of his expenses were paid by persons involved in violations of the gambling laws. The fact that Emilio Georgetti, "the Gambling King of San Mateo County [California]", worked "like hell" for the election of Sheriff McGrath and "accumulated a little money for the campaign," did not hurt him in his gambling operations.

Informed Public Must Act

The active participation of an informed public is essential to the correction of the conditions which the committee's investigation has shown to exist throughout the country. The committee has emphasized time and again that organized crime cannot exist without political protection. It is the responsibility of

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News in Review

City, State and Nation . . . . Edited by H. M. Olmsted

Three States Act on Home Rule

Rhode Island, Connecticut, Illinois 'Liberate' Cities

THREE states recently took steps to permit their cities to choose for themselves the type of government under which they will work. In Rhode Island a constitutional convention recommended, and the voters passed, a self-executing constitutional provision for home rule. The Connecticut legislature adopted a home rule law applicable to all its cities, towns and boroughs. And the Illinois legislature extended the option of adopting the council-manager plan to all cities of 500,000 and under. (See stories which follow.)

Rhode Island Has 'Quickie' Constitution Convention

Rhode Island voters on June 28 approved six of eight amendments submitted by a constitutional convention. One, providing home rule for cities and towns, passed overwhelmingly, 48,429 to 7,983. Approved also were permanent registration, permission, for tax-exempt veterans to vote in financial town meetings, state borrowing in anticipation of tax collections, repeal of state poll tax and condemnation of land for parking facilities. Defeated were judicial tenure and pay increases for legislators.

In almost startling succession Rhode Islanders have seen the governor and the legislature call for a constitutional convention, the people ratify the call and elect delegates, the convention meet in a sometimes hectic two-day session, and the people vote on proposed amendments—all in little more than two months.

Incidentally the convention, which was the second such in 109 years, was thoroughly covered by radio (broadcast and rebroadcast—but no television).

The immediate cause for the convention had been to reconcile two conflicting constitutional amendments, dealing with registration of voters, adopted at the last election. The Rhode Island Supreme Court, in an advisory opinion on April 11, held that the two amendments were contradictory. When it appeared that a constitutional convention was the necessary means of solving this problem it was deemed possible and desirable to include other topics upon which the agreement of leaders of the Democratic and Republican parties could be obtained.

The legislature enacted a bill authorizing the governor to call a special election to pass on the question of holding a convention for consideration of specified topics and to elect delegates. The bill was approved on April 24. The election was held on May 25. The convention met on June 1 and adjourned somewhat tumultuously at 5:14 A.M. on Sunday, June 3. The special election for ratification of amendments was set for June 28.

Leaders of the two parties arranged that the 200 delegates, to be nominated by petition, would be shared between them; each party caused 100 to be nominated and there were no independent candidates.

Aside from the registration problem a leading topic was municipal home rule. Governor Dennis J. Roberts showed special interest in this and on May 31 announced that he had

btained bipartisan support for a self-xecuting home rule amendment. ntil then it had been believed that greement could be had merely on a roposal to grant power to the legis-ature to allow municipalities to adopt harters in accordance with general aws.

The amendment approved by the nvention would give every city and own power to adopt and amend its harter and to enact and amend local aws relating to its property, affairs nd government, consistent with the nstitution. Upon petition of 15 per ent of the voters an election would e held on the question of having a ommission frame a charter—the embers of the commission to be etermined at the same election. A harter drafted by the commission ould be submitted to the voters for atification, by a majority of those oting, at a general election. Charter mendments could be proposed by city r town governing bodies, for ratifi-ation at general or special elections.

The amendment would not enlarge unicipal power to tax or borrow. he legislature would have power to ct in relation to the property, af-airs and government of cities and owns only by general laws applying like to all cities and towns and not ffecting their form of government, or y laws that become effective only by ocal referendum.

Amendments Submitted

The convention finally approved ight amendment proposals, listed be-ow: The convention vote on each is iven.

1. To provide home rule for cities nd towns (170 to 0).

2. To provide permanent registra-ion of voters (167 to 1). Because of livergent views of party leaders this mendment goes into much detail. While voters once registered need not do so again unless they move, or do not vote at least once in five years, a census of registered voters is prescribed, every general election year, and provision is also made as to identification of voters challenged at the polls.

3. To enable tax-exempt veterans to vote in financial town meetings (163 to 0). A similar amendment adopted last November created a legal conflict with the permanent registration amendment adopted at that time.

4. To permit the state to borrow in anticipation of tax collections (168 to 0).

5. To increase the compensation for legislators from present annual maximum of $300 to $1,500—both plus mileage (154 to 18). A more generous proposal was defeated at the polls last November.

6. To provide tenure of office for Supreme and Superior Court justices, with mandatory retirement at 70, on full pension if they have served ten years (143 to 20).

7. To repeal the $1 state poll tax (172 to 0). This tax is not a qualification for voting; it yields little revenue.

8. To enable municipalities to condemn land for off-street parking facilities (122 to 44).

The most controversial topic considered by the convention was a proposal to permit condemnation of private real estate for purposes of urban redevelopment, a subject in which the city of Providence is deeply interested —it is already attempting a limited amount of redevelopment. The proposal was urged by Democratic Governor Roberts and Mayor Reynolds of Providence and was unrelentingly opposed by Republican State Chairman William J. Thompson. It was this subject that caused the convention to remain in session long past Saturday midnight, with debate, efforts at com-

promise and votes on various amendments to the proposal.

The final vote was 72 in opposition and 94 in favor—not enough for adoption which would have required 101 votes.

NOTE: The editor is largely indebted for information on the foregoing to Robert M. Goodrich, director, and Robert P. Bolan, staff member, of the Rhode Island Public Expenditure Council.

Connecticut Municipalities Get Home Rule Law

The Connecticut legislature has passed a bill providing: "Any town, city or borough, whether chartered or not, . . . shall have the power to make, amend, add to or replace its charter or amend any other special act so far as such special act relates to the powers concerning the government of such town, city or borough, and may provide for the consolidation of town, city or borough governments."

The act provides for a referendum within the local unit on such changes by either a two-thirds vote of the local legislative body or a petition signed by a certain percentage of voters. This would range from 5 per cent for cities of over 100,000 population to 25 per cent in towns under 3,000.

At least 51 per cent of the registered voters must participate in the referendum; a majority of those voting will then be sufficient to authorize the charter change. If consolidation of local units is involved, there must be a 51 per cent participation of registered voters in each of the units concerned.

Illinois Cities Granted Optional Manager Law

Just before adjournment, the Illinois legislature passed a measure extending the option of adopting th council-manager plan to all cities 500,000 or less. Previously only citi of 5,000 and under were empowere to adopt the plan. Now only Chicag cannot come under the act.

The vote in the House in May wa 90 to 19; the Senate passed the legis lation unanimously on June 21 bu with several amendments in which th House concurred on June 25. Sever crippling amendments added to the bi while it was before the Senate wer voted down.

Since the act is part of the gov ernor's program, and he is therefor expected to sign the measure, th action brings to a successful conclusio a struggle which began more than 3 years ago.

Council-Manager Plan Developments

San Bruno (12,409) adopted th council manager plan in May.

Cedar City, Utah, (6,106) has als adopted the plan.

On June 25 voters of **North St. Pau Minnesota,** (4,227) adopted the state optional council-manager charter f villages.

At an election held June 7, voters Augusta, Kansas, (4,466) gave th city council power to hire a city ma ager. The vote was 237 to 227.

At a special election on May 1 **Florence, Colorado,** (2,765) adopt the council-manager plan by a vote 237 to 53.

At the annual town meeting **Hermon, Maine,** an article proposi the manager form of government w defeated 81 to 53.

In **Charlestown and Plymouth, Ne Hampshire,** committees of five we appointed at the town meetings to i vestigate the manager plan.

In **Holderness, New Hampshire,** town of about 750, the manager pl is under discussion, with likeliho

nat it will be presented to the town meeting in March 1952.

A plan is under consideration for New Hampshire towns such as Lee and Madbury to form a union of towns with one manager and a joint policy committee composed of selectmen from both towns.

In Quincy, Massachusetts, Plan E—city manager under a proportional representation council—which was adopted in 1947, is under attack by an embryo Plan A association led by Leo E. Mullin, Jr., son of the former city auditor. Petitions have been filed for a vote in November on abolishing Plan E in favor of Plan A—mayor with council of nine elected at large.

A decision rendered by the Massachusetts Supreme Judicial Court invalidates the 1949 vote in Gloucester and Somerville in favor of Plan E. Both cities adopted the plan by large majorities and expected to begin operations under it in January 1952.[1] The Gloucester Home Owners' League has started circulation of petitions to place the council-manager plan on the ballot again in December.

The Massachusetts House of Representatives has voted down the council-manager plan for Arlington. The bill setting forth the plan has been criticized by manager opponents and also by manager advocates who assert that too little authority is proposed for the manager.

The Citizens' Plan E Association has secured over 8,000 signatures to its petition, filed June 7, to place the question of adopting the council-manager plan on the fall ballot in Lynn, Massachusetts. The proposed plan includes a council of seven elected at large. P. R. is no longer available for new adoptions.

A bill permitting an election this year in Swampscott, Massachusetts, on the question of adopting the town manager plan has been signed by Governor Dever.

Consideration of the council-manager plan has been urged on the Governor's Charter Commission for Pawtucket, Rhode Island, by the Citizens League of Pawtucket.

The Connecticut legislature failed to enact a bill which would have provided a council-manager charter for Waterbury before its recent adjournment.

In Jamestown, New York, Samuel A. Carlson, who served many terms as mayor and is now "mayor emeritus," advocates the council-manager plan for his city. He proposes a council of nine members with each voter privileged to vote for not more than six, thus insuring minority representation. Each voter would also designate one council member for mayor.

In Hoboken, New Jersey, various groups, including the Citizens Committee for Charter Revision, the Citizens League and the League of Women Voters, have circulated petitions calling for a special election on adopting the council-manager plan. An effort of the present city commission to call a referendum in November on appointment of a charter study commission has been denounced as a scheme to delay a vote on the manager plan.

The charter commission recently elected in Montclair, New Jersey, has recommended the council-manager plan in place of the present commission government. Montclair will therefore vote on adoption of one of the state's new optional manager charters at the November 6 election.

Albemarle, North Carolina, on May 8 defeated the council-manager plan by a vote of 1,733 to 1,132. The vote was on the state's optional manager charter, as amended for Albemarle by special act.

In **Savannah, Georgia,** the Joint Committee for Council-Manager Government has circulated petitions to force a referendum.

The **Florida** legislature has passed a bill providing a referendum on the council-manager plan in **Hialeah** at the city's September 11 election. The bill was opposed by the city council but supported by the county delegation to the legislature. The question to be submitted is: "Shall the charter of the city of Hialeah provide for a manager plan of government?" If passed by the voters, the council must appoint a five-man charter board, which will have 90 days in which to draft a new charter.

A revised charter for **Surfside, Florida,** strengthening the position of the city manager, has been submitted to the legislature for ratification by the voters.

Features of the manager plan were explained to the **Mount Vernon, Ohio,** Chamber of Commerce recently by Professor Harvey Walker of Ohio State University. He asserted that Mount Vernon is of ideal size for the plan.

In **Owensboro, Kentucky,** several groups are advocating a change from the commission to the council-manager plan. A petition has been filed with the county judge.

The **Mankato, Minnesota,** charter commission voted unanimously on April 30 in favor of the council-manager plan.

The **Oklahoma** legislature has adopted a bill reducing from 2,000 to 1,000 the population required of a municipality before it may adopt council-manager government. The bill was drafted by Charles F. Spencer, former mayor of Ada and president of East Central State College. A town of 1,000 or more people can now vote to become a city under either one of the two previously existing optional forms of city government—the council-manager form or mayor-council form. A town or city in Oklahoma is still required under the constitution to have at least 2,000 people if it drafts and adopts a home rule charter. The principal aim in reducing the population requirement was to enable some of the small municipalities in the state which have their own water and electric utilities to adopt a more efficient form of municipal government.

The town of **Crescent, Oklahoma** with a population of about 1,500, is already taking steps to adopt the manager plan, under the new law.

The manager plan is under consideration by the Chamber of Commerce of **Hallettsville, Texas.**

The **Eureka, California,** Chamber of Commerce has petitioned the city council to have a council-manager charter prepared for submission to the voters. The chamber offers to assist in the task.

Los Angeles Provides for Administrative Officer

At a general election on May 2 six charter amendments were approved by the voters, including one providing for a city administrative officer.[1] The latter is to be successor to the director of the Bureau of Budget and Efficiency but will have additional powers.

Minneapolis Reduces Council by Half

On June 12 the voters of Minneapolis approved a charter amendment reducing the size of the city council from 26 to 13. It was approved by 69 per cent of those voting at the

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[1] See the REVIEW, May 1951, page 26

election; a minimum of 60 per cent was required. Thirteen members for the present 26-member council were elected at the same time. The term of council members (designated aldermen) is reduced from four to two years. The smaller council provision takes effect July 1, 1953. The present unequal wards remain.

All Connecticut Towns to Use Voting Machines

The Connecticut legislature has enacted a law requiring all towns to use voting machines by July 1, 1952. Heretofore such requirement applied to towns with populations over 10,000.

Ohio Cities Can Pay Association Dues

In a test case brought by the city commission (council) of Dayton the Ohio Supreme Court has held that the city can properly use public funds to pay dues to the Municipal Finance Officers Association. Such payments to that organization and to the Ohio Association of Municipalities have long been disallowed by the state auditor.

The Dayton city commission had authorized membership in the finance group and appropriated $486.22 for annual dues. The city treasurer refused payment on the ground that the city charter does not authorize such expenditures. The matter went to the Supreme Court, which held that the home rule powers under which the city operates are broad enough not to require specific authorization in the charter for such payments, and that the judgment of the commission that the payment is beneficial to the city city was adequate.

Alaskan Cities Score Legislative Successes

The League of Alaskan Cities, organized in August 1950, had sixteen proposals before the territorial legislature at its recent session. Thirteen of these were actually introduced, eleven passed both houses and ten of the latter became law upon approval by the governor, as reported in *Western City.*

The three most important measures enacted are stated to be a law easing city annexation requirements, a clarification of tax provisions permitting levies up to 30 mills if voted by the council, and the addition of a permissive two-year term for city councilmen to the present choices of one-year and three-year terms.

Arizona Cities Set Study Program

At the spring meeting of the Arizona Municipal League at Safford, Arizona, where Mayor Nicholas Udall of Phoenix decried the lack of municipal home rule in Arizona and emphasized the need of constitutional provisions to insure it, the executive committee of the league was directed to institute a study of the home rule problem, with the goal of local self-government.

Other topics for which studies were authorized are:

Simplification of the Arizona code so as to designate clearly laws applicable to city and town government;

Holding city elections in November, instead of in May as at present, new officials to assume office on January 1. By taking office in January officials would gain six months' experience before having to prepare the annual budget;

Drafting of legislation to permit transfer of surplus funds from one city department to another in need of funds. Such transfers must now be authorized by the State Tax Commission;

Requiring telephone and telegraph companies to obtain franchises in the communities where they operate.

Rhode Island to Have Administration Department

The legislature of Rhode Island has enacted a law to coordinate finance, personnel and other service functions of the state under a new Department of Administration.

According to the Civil Service Assembly *Newsletter*, this department will include a Division of Personnel Administration headed by a personnel administrator, who will be in the classified service. He will establish and administer, under the direction of the department head, a classification plan, a pay plan and rules and regulations for the classified service, and a pay plan for unclassified employees. In place of the Civil Service Commission the act creates a three-member Personnel Appeal Board, not more than two members of which may be of the same political party.

Michigan Establishes Director of Elections

The Michigan legislature has enacted a law providing for a state director of elections and a Bureau of Elections in the office of the secretary of state.

This was the chief recommendation in a staff report on *State Election Administration* to the Joint Legislative Committee on Reorganization of State Government, prepared by Professor James W. Miller of Michigan State College. The report listed several important administrative tasks for such a bureau: (1) assistance to the 1,834 local election authorities to enable them to handle their work more effectively; (2) gathering information as a basis for rules, regulations and instructions for local election authorities; (3) assembling election data to aid the legislature when considering proposed election law additions or changes; (4) codification of the various election laws.

A meager budget of $7,000 has been provided by the legislature for the new bureau.

California Congressional Redistricting Investigated

Spurred by an increase in its allotment of members to the national House of Representatives from 23 to 30, because of the large increase in population shown by the 1950 census, California has been accorded a new arrangement of districts by its legislature. Charges of gross inequalities and gerrymandering by the Republican-controlled legislature, however, have brought on an investigation by a judiciary subcommittee of the national House.

The new apportionment follows the California constitutional provision that congressional districts shall be formed of state assembly districts. Critics complain, however, that unnecessary inequalities have been produced: for example, the eighteenth district has a population of some 270,000 while the nineteenth has 452,000. It has also been testified before the subcommittee that Democratic assembly districts have been merged with stronger Republican territory.

A bill in line with President Truman's recommendations,[1] introduced in the national House by Emanuel Celler, chairman of the judiciary committee, would allow no more than 15 per cent deviation from the average per district; candidates from non-conforming districts would be barred from the House.

Ohio Redistricting Leaves Wide Discrepancies

The legislature of Ohio has revised the congressional districts in that state, which receives one additional representative in Congress on the basis of the 1950 census, making a total of 23. This is the first revision in 38 years.

[1] See the REVIEW, February 1951, page 92.

The old 22nd district, largely including the city of Cleveland, had grown to be the largest congressional district in the nation, with 908,000 population. The fifth Ohio district has had less than 167,000 population. This great inequality has been reduced in the reapportionment but wide differences still exist. The largest district as newly constituted has 545,312 (including Dayton, Hamilton and the rest of the two counties involved) and the smallest has 224,268 (the tenth, comprising eight counties in southern Ohio). This is a ratio of about two to one.

As reported in the *New York Times* for June 4, fourteen of the new districts are considered Republican, eight Democratic and one is evenly divided between the parties as to congressional elections. One Democratic district is stated to have only a 600 vote advantage.

Minnesota Authorizes Merit System Extension

Under an act passed at the last session of the Minnesota legislature any second, third or fourth class city, village or borough may establish a merit system by ordinance approved by a majority of the voters at a general or special election, according to the *Newsletter* of the Civil Service Assembly.

A bill to modify the absolute system of veterans' preference in Minnesota by setting up a point preference system was defeated.

Hoover Commission Created in New Mexico

The 1951 New Mexico legislature established a "little Hoover commission" to study the state government and recommend improvements.

The lawmakers also created a legislative reference bureau.

New Mexico to Vote on 'Missouri' Court Plan

If New Mexico voters at a special election in September approve a constitutional amendment passed by the legislature in March, that state will be the second to adopt the Missouri or American Bar Association plan for selection of judges. Court vacancies would be filled by the governor from a list nominated by a commission composed of the chief justice and the state bar commissioners. To serve for a further term a judge would stand alone for election on his record; if he is rejected, the vacancy would be filled by nomination and appointment.

Efforts of the Utah bar to obtain a similar system resulted this year in a law providing for nonpartisan election of judges. Appointive plans were pending in Nevada and West Virginia when their legislatures adjourned in March, according to the American Judicature Society.

Effects of Ohio's New Ballot Form

In 1949, by adoption of an initiative constitutional amendment, Ohio shifted from the party column type of ballot, with a party circle at the head in which an "x" mark voted the whole column, to the Massachusetts type used in seventeen other states whereby candidates with party labels are grouped under the office without any party circle elsewhere on the ballot. This required the Ohio voters, with long ballots running as high as 56 offices, to make as many as 56 separate marks on each ballot.

The Ohio public, having voted for the amendment, seems to have proceeded uncomplainingly to mark ballots the new way. But, as was to be expected, there was more split ticket voting and also an increased disposition to get tired of following the party label down the long ballot leaving minor offices unmarked altogether.

In the Cuyahoga County (Cleveland) results, the state's most populous county provides a measure of the falling off in the vote for minor offices. The Cuyahoga ballot presented 23 candidates from each party for state legislators as well as the state offices and U. S. senator. In 1946 the lowest Democratic candidate for the legislature got 136,000 votes to the gubernatorial candidate's 237,000, 223,000 to the latter's 304,000 in 1948, whereas in 1950, with the new ballot, the low candidate with 155,000 lagged much further behind the gubernatorial candidate's 338,000.

In the Republican party the corresponding lag of the bottom legislator behind the top man was 165,000 versus 212,000 in 1946, 163,000 versus 203,000 in 1948 but, with the easily split and easily partially voted new ballot of 1950, 127,000 versus 262,000 for Senator Taft who ran far ahead of his ticket, or versus 212,000 for the next best. Thus, by a mere ballot form in this sensitive area of voter behavior, the voting for the lowest legislator, compared with that for the party's best performer, had formerly been artificially sustained by influence of the party circle to 58 per cent, 73 per cent, 78 per cent and 80 per cent but dropped to 46 per cent and 47 per cent when the party circle was removed.[1]

It was widely alleged before the amendment was adopted that it would help the candidacy of Senator Taft at the 1950 election since the new ballot made it just as easy for the followers of the popular Governor Lausche, Democrat, to split their votes in favor of Taft, but the effect is scarcely measurable by reason of many special factors in the 1950 contest, including the extreme weakness of Taft's opponent. Senator Taft himself says, "If I were to guess, I would think that the new ballot was responsible for something between 100,000 and 200,000 of my total majority of 430,000." The state totals were: Taft 1,642,000, Ferguson 1,212,000. R. S. C.

[1]From data assembled by Ray W. Bronez, Western Reserve University.

Puerto Rico to Have Constitution Convention

By an overwhelming vote on June 4 the citizens of Puerto Rico favored the calling of a convention to draft a constitution. This was made possible by a 1950 act of Congress authorizing the island's legislature to call such a convention. It specified that the resultant document should provide for a republican form of government and include a bill of rights. It would be subject to approval by a local referendum and by Congress.

Puerto Rico now elects its governor and legislature, but can achieve more complete self-government under the prospective constitution.

Two State Authorities Created to Build Schools

At least two states have created special school building authorities this year, the Council of State Governments reports.

In Georgia the legislature established a seven-member school building agency with broad powers to finance and construct self-liquidating projects. It is empowered to apply revenue bond financing principles to the secondary and grade school building problem. The revenue bonds issued by the authority will be amortized from rentals paid by city and county school boards for use of the facilities.

Indiana enacted a law providing for the creation of a school building authority to erect school houses and lease them to local communities. Composed of the governor, secretary of state, auditor, treasurer and state superintendent of public construction the agency is empowered to buy, lease and hold school sites and buildings and to finance new school buildings by issuance of revenue bonds.

County and Township . . . . Edited by Elwyn A. Mauck

Santa Clara County Manager Plan Okayed

Legislature Approves 1950 Charter; 1948 Document Void

PROPONENTS of the county manager plan for Santa Clara County, California, after a struggle lasting several years, have at long last achieved their goal. The 1951 legislature approved the new council-manager charter adopted on November 7 last by the overwhelming vote of 46,220 to 17,322.[1]

Meanwhile, the California Supreme Court, in a four-to-three decision, has invalidated the Santa Clara County manager charter adopted at the polls in 1948 but the subject of court action ever since. The majority decision held that the typographical errors in publication of the charter[2] before election were sufficient to invalidate the election on the grounds that the requirements for pre-election publication had not been met. The minority opinion called the published error "a slight transposition in three out of seventy-one sections of the charter . . . the effect, if any, . . . would have been to incline such electors to vote against rather than in favor of the adoption." Proponents have the right to ask for a rehearing but in light of the favorable legislative action on the 1950 charter, it is improbable they will do so.

There are indications, according to newspaper reports, that opponents may challenge the legality of the 1950 charter under which the county will begin operations shortly. The technicality they have discovered to date is a stenographic error omitting the sheriff as an appointive officer. The intent of the charter was to change this office from elective to appointive. Opponents are urging the board of supervisors to refuse to enact a resolution putting the charter into effect, thus inviting a mandamous action in which the technical error can be adjudicated.

[1]See the REVIEW, December 1950, page 567.

[2]See the REVIEW, January 1950, page 42.

California Counties, Cities Continue Conflict over Revenue

Two major proposals in the 1951 California state legislature have brought the cities and counties of the state into violent conflict. The first of these is a bill sponsored by the League of California Cities requiring that the urban unincorporated areas pay the cost of the municipal type services they are receiving at the expense of the county general fund.[1] The League of Cities claims this practice in effect means that municipalities are subsidizing their county residents who live in urbanized but unincorporated areas. The County Supervisors Association has gone on record against the proposals and has succeeded in stopping legislative action upon them to the present moment.

The second major issue is a proposal to levy a local sales tax throughout the state. At the present time California has a 3 per cent sales tax and 33 cities have a 1 per cent tax. Other cities have a 1/2 per cent tax. Hence it was proposed that the counties be enabled to tax at 1 per cent in unincorporated areas and 1/2 per cent in municipalities, but with a ceiling on the sales tax of 4 per cent. This would require the 33 cities to reduce their sales tax and, with the remaining cities, they

[1]See the REVIEW, January 1951, page 44.

would be under a 1/2 of 1 per cent ceiling. The League of California Cities entered into negotiations with the counties to increase the cities' share to 3/4 of 1 per cent, but no agreement could be reached and the entire proposal has been abandoned.

Nebraska Studies County Government

As a result of a legislative resolution adopted two years ago the Nebraska Legislative Council has submitted a report on the reorganization of county government to the state legislature. After an analysis of the characteristics of Nebraska counties, their forms of government and proposed changes in the past, the council made twelve major recommendations. They are:

1. Each county should be permitted to exercise home rule in selecting its own form of government, including adoption of the manager plan, commission type or the single executive type found in many cities of Nebraska;
2. The five-mill constitutional tax limit upon counties should be removed;
3. Permit all counties to choose a three-member, five-member or seven-member board of commissioners, thus eliminating the confusion resulting from difference of terminology in counties having townships and those that do not;
4. The county as a whole should be considered as a unit for road purposes;
5. Repeal all statutory provisions fixing the salaries of county officers and employees and give such jurisdiction to the respective county boards;
6. Permit counties by popular vote to abolish the office of county surveyor;
7. Provide for the creation of a county highway planning board in each county;
8. Make uniform the laws regarding the removal of county officers;
9. Require that all county officers collecting or receiving county funds shall deposit such funds within 48 hours;
10. Require the county clerk to publish a summary of the state auditor's report pertaining to irregularities in county government, including recommendations for corrections and improvements;
11. Where townships are retained, provide that township funds be deposited within 48 hours after receipt, that annual statements be filed, that the township's account may be audited by the county board, and that the state auditor shall examine the township's financial statement with the county clerk and investigate irregularities;
12. The constitution to be amended in such manner as to permit county boards to consolidate county offices wherever such consolidation is deemed necessary or desirable.

Tennessee Counties Sponsor Training Courses

Tennessee counties recently inaugurated a series of refresher and entrance training courses for their officials in conjunction with two regional meetings of county judges in Knoxville and Kingsport. The one-day courses were designed to acquaint officials with up-to-date financial practices in the administration of county government. The meetings served also as training courses for newly elected officials, orienting them in their new duties and responsibilities. The meetings were the first of this type to be held in Tennessee and were among the first to be held in the entire south.

Three talks occupied the morning sessions and an open forum was held in the afternoon, at which those attending were urged to participate in the discussion. The officials were encouraged to bring out any information concerning local or unusual problems

(Continued on page 374)

Proportional Representation . . *Edited by George H. Hallett, Jr. and Wm. Redin Woodward*

(This department is successor to the Proportional Representation Review)

Ohio Supreme Court Upholds P. R.

Massachusetts Highest Court Bars Spread of Hare System

THE Supreme Court of Ohio on June 20 unanimously upheld the right of Cincinnati voters to choose their city council by the Hare system of proportional representation. In a decision *per curiam* (i.e., the opinion being participated in by the entire bench) the court's seven judges declared Cincinnati's P. R. form of election to be consistent with the provisions of the constitutional amendment adopted in 1949 requiring use of the so-called Massachusetts or office type ballot for state elections generally.

The court also reaffirmed the right, previously upheld in *Reutener* vs. *Cleveland, 107 O. S. 117, 1923,* of municipalities to adopt by home rule charter methods of electing their city officials different from those provided in the statutes or constitution.

The decision terminated a series of legal maneuvers by which opponents of P. R. over a period of seven months had tried to outlaw the use of the system in next November's city election. Earlier the Hamilton County Court of Common Pleas rejected a petition to this end and the secretary of state on advice of the attorney general declined to act.[1]

The defense of P. R. throughout the proceedings was conducted by Ed F. Alexander, special assistant to Cincinnati's city solicitor and one of the original sponsors of Cincinnati's council-manager—P. R. charter in 1924, and by Attorneys Robert P. Goldman, George E. Fee and Morison R. Waite. Messrs. Goldman, Fee and Waite, serving without compensation, had been requested to take part in the defense by the Cincinnati City Charter Committee.

In a statement hailing the decision, the executive committee of the City Charter Committee noted that P. R. now has been supported by the voters of Cincinnati six times and by the Ohio courts four times. "Voters," said the committee, "approved P. R. in 1924, 1926, 1936, 1939, 1947 and again in 1949 when they voted for the readoption of the basic P. R. provisions along with minor amendments dealing with details of the ballot. The Ohio courts have upheld P. R. in two Cleveland cases, in the lower court hearing earlier this year and now in the current suit."

FOREST FRANK, *Executive Director*
Cincinnati City Charter Committee

The Supreme Judicial Court of Massachusetts ruled on June 1 that the 1949 legislation[1] repealing the proportional representation feature of the "Plan E" optional charter law prevented Massachusetts cities from thereafter adopting the council-manager form of charter with P. R. The opinion stated this was the case even though all necessary steps to place the question on the ballot of any city had been taken prior to the effective date of the repeal legislation.

The decision held that the city of Gloucester must conduct its next

[1]See the REVIEW, February 1951, page 103; May 1951, page 273; June 1951, page 324.

[1]See the REVIEW, September 1949, page 409; October 1949, page 461.

election under its old charter even though Plan E was adopted on December 6, 1949, by a vote of 5,454 to 2,307. The decision has the effect also of requiring Somerville's old charter to be continued in spite of a referendum vote against it and in favor of Plan E. It sustains the action of the city clerk of Chelsea in preventing a referendum on Plan E although petitions were duly filed before the amending legislation took effect.

In ruling that the old charter was still in force in Gloucester and Somerville, rather than the council-manager plan without the P. R. feature, the court pointed out that the referendum question as submitted to the voters contained express reference to proportional representation. "No one can rightly say the voters would have approved Plan E in its truncated form without that feature," stated Justice Raymond S. Wilkins, giving the opinion of the court.

Commenting on an error in wording in the legislature's 1949 act (Chapter 661), removing P. R. from the state's Plan E optional council-manager charter—a "boner" which it was thought might invalidate the act—the court said:

"Sections 93 and 116, the two sections mentioned by number in Statutes 1949, Chapter 661, section 1, do not deal with proportional representation. That feature of Plan E is provided by section 115. Obviously, therefore, there is a gross error somewhere in Chapter 661. A careful reading of Chapter 661 as a whole, including its title, makes clear that the object of the legislation was the elimination of proportional representation as a feature of Plan E in favor of ordinary plurality voting in the case of all cities voting to adopt that plan after the effective date of the act. . . . The result is that Statutes 1949, Chapter 661, is not void for vagueness and uncertainty, but brought about the repeal" of P. R. "as a part of Plan E for all cities voting after Chapter 661 took effect."

Ireland Holds First P. R. Election as Republic

The Irish general election on May 30, held by P.R., again left the Fianna Fail (Soldiers of Destiny) party and its veteran leader Eamon de Valera short of a majority, this time with 69 of the 147 seats in the Dail Eireann (parliament). However, five independents decided to support Mr. de Valera and gave him the necessary majority to supplant Prime Minister John Costello who had headed a coalition government since the election of 1948.[1]

Though holding office by virtue of independent support, Mr. de Valera appointed a one-party cabinet including most of the ministers who had held office with him during his long ascendancy before the 1948 election.

This was the first general election since Eire formally became a republic in 1949. As in previous elections a P. R. system based on the single transferable vote (Hare system), employing districts each returning several members, was used.

Prime Minister Costello's party, Fine Gael (United Ireland), the largest of the coalition parties, appears to have maintained its position, whereas Clann Na Poblachta (Republican party), which made its first appearance in considerable force at the last election, led by Sean MacBride, who served as foreign minister under the coalition, lost considerable ground in the recent election. Health Minister Dr. Noel Browne, who resigned from Clann Na Poblachta and the government over his failure to get backing for a public health plan, contested the election as an independent, denounced both Costello and MacBride and secured reelection.

This election saw not only Costello

[1]See the REVIEW, March 1948, page 169.

IRISH GENERAL ELECTIONS, June 1, 1951

Party	Votes Cast	Percentage of Votes	Seats Won	Percentage of Seats
Fianna Fail	617,570	46.3	68[a]	47.5
Fine Gael	342,844	25.7	40	27.4
Labor	152,231	11.4	16	11.0
Clan na Poblachta	54,210	4.1	2	1.4
Farmer	38,872	2.9	6	4.1
Others	128,529	9.6	14	9.6
	1,334,256		146[a]	

[a]These figures do not include the seat of the speaker, a member of Fianna Fail, which was uncontested.

and de Valera returned to the Dail to lead their parties but also their respective sons, Major Vivian de Valera and Declan Costello, from different districts of the city of Dublin.

The results are summarized in the accompanying table.

Gibraltar and Zanzibar Adopt Hare System

The Hare system of proportional representation, substantially the only form used in English-speaking countries, has been adopted for the election of the five popularly chosen members of the recently instituted Legislative Council in Gibraltar[1] and for the election of representatives of the Indian community of the island of Zanzibar. Both places are British dependencies established as stepping-stones for the far-flung British Commonwealth of Nations.

The suggestion of P. R. for Gibraltar came from the governor, following which the Proportional Representation Society was consulted in London by the Colonial Office, which then approved the proposal. The society's secretary spent two months in Gibraltar, acting in an advisory capacity. When the election was held on November 8, 1950, only 1.5 per cent of the ballots were invalid, despite the fact that 7 per cent of those voting were illiterate.

The adoption of P. R. for representation of the Indian community in Zanzibar was designed to enable Hindus and Moslems to vote together with assurance that each will be fairly represented whatever the division of the vote. At present the Arab community votes separately but the Proportional Representation Society has recommended to the government of Zanzibar that all of Zanzibar be established as a single P. R. constituency in which Arabs, Hindus, Moslems and others would vote together by the single transferable vote (Hare) system.

Coalitions Win in Local Italian Elections

On May 26 and June 3 and 10 provincial and municipal elections were held in Italy under a system of representation providing some minority representation without purporting to do so on a proportional basis. Italy uses a party list system of proportional representation for national elections but local election laws, although a party list ballot is used, provide that the party or coalition list obtaining the most votes, even though that be less than a majority, is entitled to at least two-thirds of the seats to be filled and more if it obtains more than two-

[1]Two additional members of the Legislative Council are appointed by the governor and three are ex officio.

thirds of the votes.

In the municipal elections held on May 26 under this system, involving cities and towns in 28 northern provinces, the votes of the Christian Democrats and their allies were less than in the national elections of 1948 and more than in the local elections of 1947, but this group wrested control of 755 cities and towns from the Communist bloc, including the important cities of Genoa, Venice and Milan. The success of this group, which now dominates 2,340 of the 2,735 cities and towns in the area, is attributed in large part to better organization of party and coalition effort since 1947, including the presentation of four-party joint lists to oppose the Communist bloc.

In spite of the trend to joint lists, an independent minor party of suspected fascist leanings made gains, obtaining as much as 12.8 per cent of the vote in the semi-autonomous province of Sicily, as compared with 3 per cent in 1948. Gains in a similar proportion were made in northern Italy from a much smaller starting level.

COUNTY AND TOWNSHIP

(Continued from page 370)

in county government. The exchange of information by the officials was one of the major accomplishments of the meetings.

The Knoxville meeting was attended by 25 officials, representing eleven east Tennessee counties, including judges, clerks, trustees, a county manager, a county auditor and a county attorney. At the Kingsport meeting, six counties were represented by twelve officials including judges, clerks and trustees.

The planning for the meetings began in March 1950, when the County Judges Association approached the Bureau of Public Administration of the University of Tennessee in regard to conducting a series of county finance officers meetings. It was proposed that these meetings be of the same type and extend the same aid to county officers as has been extended to municipal officials through the Tennessee Municipal Finance Officers Association. A resolution was adopted by the County Judges Association providing for the two experimental meetings. If the outcome of these two trial meetings warrant it, additional finance officers meetings will be scheduled.

Consider Four-year Terms for County Officials

Several proposed constitutional amendments have been introduced in the 1951 Texas and Wisconsin state legislatures to increase the terms of county officers from two to four years.

City-County Cooperation Proposed for Dallas

A constitutional amendment has been introduced in the Texas state legislature permitting Dallas County and the city of Dallas to establish a joint hospital.

ichmond Prospers with erformance Budget

Official Describes City's Progress under New System

EDITOR'S NOTE.—Current interest in the so-called performance type budget, popularized by the Hoover commission in its recommendations regarding the federal budgetary system, renders especially interesting the following remarks of Vice Mayor ROBERT A. WILSON, of Richmond, Virginia, in his introduction in the council of that city's second annual performance budget. Richmond is among the first to utilize a budget process and document of its type.

)NE of the most substantial parts of the new Richmond council-anager charter is that chapter having o do with budget making and budget ontrol. The report of the charter ommission which accompanied its roposals had this to say in part:

"One of the weakest features of the resent charter is the inadequacy of ie provisions dealing with budgeting. well prepared and carefully adminis-ered budget is the heart of any enter-rise whether private or public. Be-ause of this, special care was devoted o the preparation of the budget pro-isions of the new charter."

In the light of our experience in Richmond during the past three years, t properly can be said that our budget ystem is the very heart of our man-gerial government—the chief organ hrough which we achieve effective nd efficient municipal administration. How, except through effective budget lanning and control, could this gov-rnment in these times of spiraling osts, when other governments are in-reasing tax burdens and incurring leficits or both, how could we conclude two fiscal years in succession with over a million dollars in surplus?

Of course, our successful experience is further evidence favoring modern municipal budgeting practices. In the past few years, thanks to the efforts and observations of professional public administrators, research organizations, both public and private, and our institutions of higher learning, we have come to know that a budget is not a financial statement but rather a financial plan. It is not an inventory, it is a plan of doing business. It is not static, it is organic. In its truest and broadest sense, the budget and budgeting controls, as represented by the work plan and allotment provisions of our charter, are the very essence of municipal operation and management as well as municipal finance.

Section 6.04 of the charter requires that "the general fund budget shall be prepared in accordance with accepted principles of municipal accounting and budgetary procedures." It does not detail the specific character of the budget except that it states: "Estimates shall be in detail showing receipts by sources and expenditures by operating units, character and object." And while we may ascribe to the charter its proper credit for our gains in administering the city's financial affairs, we should not overlook the credit due the administration and particularly the budget director for the installation of the performance type budget under which we operate.

In a report to Congress in February 1949, the Hoover commission on organization of the executive branch of the government commented:

"We recommend that the whole budgetary concept of the federal government should be refashioned by the

adoption of a budget based upon functions, activities and projects: this we designate as a performance budget. Such an approach would focus attention upon the general character and relative importance of the work to be done, or upon the service to be rendered, rather than upon the things to be acquired, such as personal services, supplies, equipment and so on. These latter objects are, after all, only the means to an end. The all important thing in budgeting is the work or service to be accomplished, and what that work or service will cost."

That is what we have done in Richmond. The first budget which this unicameral council adopted was a detailed listing of what items the city bought to perform its many functions. It said nothing about the functions themselves. Among its 216 objects of expenditure were included such items as forage, electric repairs and shovel hire. Now we as responsible leaders of this government, and our citizens as purchasers of municipal services, are not interested in how many shovels we hire but in how many shovelsful of material are moved, for what purpose and at what cost.

Questions on the Budget

Council should be concerned with these questions on the budget:

1. Does it meet the needs of the community adequately or as adequately as available finances will permit?

2. Does it provide proper balance between various activities, especially as between more essential and less essential services?

3. Are there work programs which assure adequate results and proper standards of service?

4. Is the budget sound and realistic? Does it estimate revenues properly? Does it contain necessary funds for all expenditures as well as emergency funds?

5. Is it economical, not in term of dollar slashing but on the basis what the dollar is buying?

Our performance type budget a tempts to answer these questions.

Now in some jurisdictions and i some few quarters there is still favore the process of making each detaile item of expenditure a part of the ap propriation ordinance. One of thes types is the so-called line budget. Un der it each detailed item becomes control item and is unchangeable ex cept by council action. For instanc referring again to our shovel hire, we adopted a budget which provide the funds for the hiring of 24 shovel and it later became evident that w needed funds for 30, council woul have to adopt an ordinance amendin the budget to hire a half-doze shovels!

At first blush that seems amusin but, if you consider what actuall would take place under such a syster it is far from humorous. The n result would be to remove from th manager the power to supervise an allocate expenditures properly withi the range allowed by the charte thereby throttling administrative in itiative and discretion and contro With council actually determinin every individual expenditure item, w would in effect abandon the manag system and adopt a major princip of the commission government, that the legislative branch assuming a ministrative powers, a practice whic has long been regarded as inefficien ineffective and outmoded.

A performance budget such as w have neither lessens the control council as contemplated by the chart nor denies it any of the minutest d tails of expenditures. Section 6. authorizes the manager to transf unencumbered balances in any gener fund or utility appropriation from o

classification of expenditure to another in the same department. The manager in his budget message stated that "detailed personnel and expense schedules will be available as supporting information during the council hearings." This information, to meet any such requests, has been and is continuously available.

We should take pride in this demonstrated progress not only because it enables us to operate our government more effectively but also because it is rapidly being recognized for its merit in this country and abroad.

New York Probes Tax Frauds

A New York grand jury began late in May to receive evidence from New York County's District Attorney Frank S. Hogan, culminating a three-months investigation by the prosecutor's staff of evidence of fraudulent applications for reductions in assessed valuations. It was charged that reductions had been accomplished by connivance between city tax assessors and property owners or tax consultants and attorneys acting as representatives for realty.

The grand jury hearings are expected to last six months or more. Already one tax assessor, who refused to sign a waiver of immunity when summoned before the grand jury, has been dismissed from the city tax department under a provision of the charter requiring city employees to sign such waivers or forfeit their positions.

Saginaw Adopts City Income Tax

Saginaw, Michigan, has amended its charter to provide for a 1 per cent tax on income and net business profits. A court test is said to be planned so that the legality of the levy may be determined prior to January 1, 1952, the effective date of the amendment.

The tax will apply to earned income of Saginaw residents, while non-residents will be taxed on that part of their income earned in the city, with resident and non-resident businesses similarly treated. The plan will be effective for a ten-year period.

Estimates of the yield from the tax run to about $1,600,000. Proceeds will be distributed as follows: first, an amount equivalent to the yield of $3 per $1,000 of assessed valuation to go to the city general fund and be used to reduce property taxes; second, to meet the service charge on sewage disposal debt, now requiring about 2.25 mills in the tax rate; and third, the balance to be used for public improvements. Over the ten years, about eight million dollars is estimated to become available for improvements.

New Jersey Provides for School Audits

New Jersey, pioneer in requiring audits of the finances of municipalities and counties, recently became the 33rd state to require periodic audits of the accounts of local school districts. The audits must be made by certified public accountants or registered municipal accountants with special qualifications in school law and accounting as set by the State Board of Public Accountants.

Pressure for enactment of the school audit law arose following a survey by the New Jersey State Chamber of Commerce revealing that two-thirds of the school districts had never had a professional audit and that their expenditures totaled more than $60,000,000 annually. The chamber was supported in its efforts by the Federated District Boards of Education of New Jersey and the New Jersey Association of School Business Officials.

ALVIN A. BURGER, *Director*
New Jersey State
Chamber of Commerce

Voters Seek Effective Control of Parties

New York Committee Report Makes Proposals for Action

THE special Committee on Party Organization, set up by the New York Citizens Union some eighteen months ago, has now made its report,[1] which recommends a comprehensive plan for democratic controls over party organization and nominations in New York City.[2] The committee is made up of 27 members, chosen for their representative character and familiarity with the operations of local government. On it are representatives of the Republican, Democratic and Liberal parties as well as several political scientists. Dr. Josephine M. Pisani, assistant professor of political science at Queens College, is chairman.

The proposals, which the Citizens Union is putting forward now for discussion and for eventual introduction into the 1952 legislature, include:

1. Abolition of huge county committees of mass meeting proportions and substitution, for matters of county-wide concern, of county committees consisting of one leader and one co-leader for each Assembly district. These would correspond roughly in size to the present county executive committees.

2. Direct election at the primaries of the leader and co-leader for each district. The leader and co-leader would also serve as state committeemen, as in the Democratic party in Brooklyn.

3. Weighted votes in the county committees, proportioned to the party's votes for governor in the districts.

4. Abolition of ex-officio votes on committees, which tend to give a disproportionate margin of control to the county leader by whom the ex officio members are appointed.

5. Creation of a city committee for each party, consisting of the leaders and co-leaders from all the Assembly districts in the city.

6. A changed plan of party primaries for the election of party committeemen and the nomination of party candidates for public office. The appropriate party committee would designate official party candidates for the primaries by certificate before the usual petition period, after which there would be an opportunity for the party members to contest the official designation by petition. At present the official candidates are often designated by petition or substitution so late that there is no time for a contest to be organized if the choices are unsatisfactory to the rank and file.

7. Official designations for areas smaller than the county by Assembly district committees, consisting of two party members elected at the primaries from each election district.

8. Abolition of judicial conventions within the city and the nomination of party candidates for judicial office at the primaries after official designations by the appropriate party committees and an opportunity to contest by petition.

The report and its proposals are confined to New York City, though

[1] *Party Organization in New York City. A Report and Proposal for Legislative Action,* Citizens Union, *Searchlight,* New York City, May 1951, eight pages.

[2] For a description of present conditions, based on the fact that parties make their own rules, see "How Tammany Holds Power," by Justin N. Feldman, the REVIEW, July 1950, page 330.

hey could easily be adapted for use hroughout the state.

Those familiar with the National Municipal League's new *Model Direct Primary Election System* will find in this report some desirable supplementary solutions which fill out the details of the *Model* with New York's bulky bailiwick in mind. The Citizens Union accepts all the principles of the League's *Model* except its limitations on fusion tickets without the permission of party managers, such fusion being sometimes important in New York City with its four local parties. R. S. C.

Civic Awards

The Savannah Junior Chamber of Commerce was named "most outstanding local organization of the year in the state," at the April convention of the Georgia Junior Chamber of Commerce, because of its campaign to secure a favorable advisory vote on the council-manager plan for the city.

Twenty-five leading citizens, among them City Club President John A. Lapp, have been appointed to serve on his year's Jury of Awards of the Chicago Rotary Club. From candidates nominated by the Merit Awards Commission of the Rotary Club, the jury will select the person to receive the Chicago Merit Award "for outstanding service either in the Chicago metropolitan area, within the United States or in international affairs."

A "Citation of Merit" has been awarded by the Citizens Union of New York City to the Brooklyn *Eagle*, a daily newspaper, for "outstanding public service" in uncovering gambler-police alliances in Brooklyn.

* * *

A New Municipal League?

According to the *Seattle Municipal News* of the Seattle Municipal League, Mayor Joe R. Baxter of Renton, Washington, has suggested formation of a Renton Municipal League. "I am convinced," said the mayor, "after experience both as a councilman and as a mayor, that such a group would be of invaluable help in our community."

"We believe that Mayor Baxter has made a sound suggestion," says the *News*. "Certainly a city of over 16,000 persons—and a city which is still growing rapidly—should draw on the talents of its citizens. Several other Washington cities have municipal leagues, including Tacoma, Spokane, Port Angeles and Kirkland."

* * *

New Adult Education Group

The Adult Education Association of the United States of America held its founding conference at Columbus, Ohio, May 13-15. The new association merges not only the American Association for Adult Education and the Department of Adult Education of the National Education Association but also representatives of most of the significant programs in adult education in all areas. President of the association is Professor Howard Y. McClusky of the University of Michigan. Professor Robertson Sillars of Western Reserve University, editor of *Adult Education*, is administrative secretary. The association will maintain headquarters in Washington, Cleveland and Chicago.

* * *

On the Air

The Citizens Union of New York City broadcast over WMCA five evenings a week for four months, conducting a program labelled "The Killers." "This is not," says the union's publication, *Across from City Hall*, "as the title might lead you to believe, a gangster program but one about the dangers of automobiles. The last seven minutes are devoted to a discussion by our chairman, Milton M. Bergerman, of a solution to the court delays and heartaches which

invariably follow accidents which cause injuries. The solution is a system of automatic compensation along the lines of workmen's compensation."

A good government program is being broadcast every Monday night in Worcester, Massachusetts, under the auspices of the Citizens' Plan "E" Association. Sample topics include "Worcester's Refuse Problem" and "Home Rule."

* * *

100 Per Cent Registered

The Little Rock, Arkansas, Rotary Club won the race for 100 per cent permanent registration of its members and their "Rotary Anns." The club had challenged other service and luncheon clubs to race for a 100 per cent registration. The Civitan Club was first to report that its membership had thus registered but the Rotarians were first to sign up their corresponding wives' organization.

* * *

Reporting on Council

Having made a "recommended" rating at election time for all five members of the city council, the East Detroit Civic League has felt "a grave responsibility for reporting thoroughly and factually as to their conduct in office. A recommended rating by no means carries with it a blind endorsement of all actions and policies perpetrated by the candidates so rated," said *Civic News,* the league's publication. "His actions and policies must stand or fall on their own merit." The Civic League is the only organization in East Detroit with observers present at all council meetings. It strongly criticizes certain actions by the council, termed "surprise moves," which it considers arbitrary and unwarranted.

* * *

Police Survey

The Toledo Municipal League has begun a survey of the city's police division emphasizing administration police needs and strength, and costs This study continues the league's ad ministrative review begun many months ago, covering the finance department, street division, municipal garage, airport, water and sewer divisions.

* * *

Women in Civic Affair

Action, organ of the League of Women Voters of the United States, report several new state leagues in the offing Idaho, North and South Carolina and Alabama will become new state leagues in the near future. Utah, Nevada and Mississippi are building local groups and working toward that end.

Of the twelve prizes awarded by the American Heritage Foundation in its nonpartisan competition to get out the vote last November, four went to Leagues of Women Voters—Schenectady (New York), Cuyahoga County (Ohio), New York City and Boston The national league was one of eight groups receiving special citations for "meritorious achievement in getting out the vote."

The Inter-group Council for Women as Public Policy Makers in Milwaukee composed of some seventeen women's civic, church and business groups, has announced its 1951 activities as follows: (1) To assist public officials to point qualified women to the 28 Milwaukee city and county honorary boards and commissions which are of vital concern to women; (2) To continue to circulate a standard questionnaire among women to build up the reserve list of women qualified to serve on such boards; (3) To conduct panel discussions explaining the importance of having women share in civic affairs through membership on the honorary policy-making boards and commissions of our local government; (4) To serve as a clearing house on civil defense needs. The

legates are appointed by each of the iliated groups to serve as members the intergroup council.

* * *

Citizen Group Hears Truman

President Truman, in his address fore the Sixth National Conference Citizenship, held in Washington y 16-20, stated that: "If citizens ow the facts, and let their elected presentatives know that they want national interest put above every litical interest and every special in-rest, then there won't be any question out keeping our nation strong and ure. This is one of the most im-rtant things that the conference can

Senator Estes Kefauver declared at, "The original sin of apathy and ifference on the part of most Amer-ns is at the ballot box. Public inion is always a great force in a mocracy, but the real, active control at the sovereign people have over ir government is through the exer-e of their franchise."

Group sessions held discussions on Citizen's Responsibility for Free-m at Home," "A Citizen's Respon-ility for Freedom Abroad," and reedom and Citizenship Activities." The sessions concluded on Sunday, 20th, with celebrations of "I Am American" Day.

* * *

Other Recent Conferences

A Chicago Civic Assembly, planned the Chicago City Club on the oc-ion of its 48th anniversary May 19, olored the major areas of Chicago's ic life in seven morning round tables juvenile delinquency, education, ntal hygiene, local transportation, using, local government organiza-n and human relations. The dis-sions were followed by a luncheon dressed by civic leaders.

Crime, Corruption and the Community" was the headline for the annual meeting and dinner of the Citizens Union of New York City on May 7. Speakers included Ambassador to Argentina Spruille Braden, who is chairman of the New York City Anti-Crime Committee; Samuel S. Leibowitz, Judge of the Kings County (Brooklyn) Court; Miles F. McDonald, district attorney of Kings County; and Senator Alexander Wiley, a member of the Kefauver Committee. Masters of Ceremonies were Tex McCrary and Jinx Falkenberg McCrary, radio and television commentators.

The first statewide conference of the Massachusetts Council-Manager Association was held at Clark University, Worcester, on May 19. The Citizens Plan E Association of Worcester was co-sponsor. Subjects included the role of civic associations under the council-manager plan, duties of city managers, the manager's role in the small community, public school programs on good government and labor's stake in council-manager government.

The New York State Citizens' Council held its Seventh Annual Institute of Community Leadership at Sharon Springs, New York, May 30-June 2. "Facing Today's Community Problems through Citizen Participation" was the topic; its objectives:

"To help you work more effectively at the job of building a stronger, healthier, happier, more prosperous, more secure community;

"To develop two-way communications between you and your government;

"To relate what you do in your own community to fateful decisions being made in the world;

"To look ahead at what we might do in New York State to provide more adequate, more effective service to communities."

When New Industry Comes to Town

Growth Has Its Headaches as Well as Its Benefits

THE defense boom and decentralization have stimulated studies of the causes and effects of the location of new industrial and business establishments.

Here are three recent reports from different areas:

Location Factors in Establishing New Manufacturing Firms in Maryland. Maryland State Planning Commission, Baltimore, 1951. 37 pages with tables;

Industrial Land Use in Burlington County, New Jersey, by Gerald Breese. Bureau of Urban Research, Princeton University, 1951. 89 pages with tables and maps. $1.75;

Collateral Problems Likely to Result from Location of a Steel Mill in Connecticut. Committee on Community Adjustment Problems, Hartford, 1951. 62 pages with maps and charts.

The Maryland study is based on a questionnaire returned by 118 firms. The findings indicate the following factors to be of most consequence in order of importance: labor, market, available factory buildings, location of production materials, personal reasons, transportation facilities and distribution facilities. The eighth most important factor was "living conditions," which embraces housing, education, recreation, shopping, religious and social life, health and professional services. Water was eleventh, laws and regulation sixteenth, and tax structure next to climate which was twentieth and last on the list. This compares with a 1937 study by the Metropolitan Life Insurance Company which placed living conditions tenth and taxes twelfth a list of sixteen.

The study of the Burlington Cou area is based on "a survey and analy of selected factors affecting existi and potential industrial location alo major transportation routes in New Jersey area between Trenton a Camden." It should be useful alike industrial scouts and to people in area interested in industrial devel ment. It points out that while "stud for the country as a whole indic that taxation is declining in relat importance as a determinant of ind trial location," New Jersey's pecu "tax climate" is such that it would wise to give immediate attention to In like manner, the report calls u the public authorities in the area bring their zoning, building regulati and planning activities up to date to coordinate them more effectively among the many political units volved.

Both the New Jersey and the Ma land reports point out that new ind try is not necessarily an unmixed bl ing. Aside from the necessity of av ing destructive competition for la and resources there is the questio the ability of the community to r the need for additional public facili services and regulation resulting f new population and other changes

This question is the special sub of the report to Governor John D Lodge of Connecticut by the C mittee on Community Adjustr Problems headed by Professor E Schattschneider of Wesleyan Un sity. The report is based upon a but fairly extensive investigatio which the committee's secretary, F ard H. Martin, director of the S Water Commission, carried a n

ead. The committee found that a new illion ton per year steel mill and its atellite factories would, if established, ring 12,000 people to the New London rea within five or ten years. Since ne area already has "a deficit of public nd semi-public facilities," the committee made findings and recommendations with respect to water supplies, ater pollution, air pollution, noise, ublic health, recreation, schools, highays, police and fire protection, municipal finances and planning and oning.

The report sets a pattern for future tudies of the probable impact of extensive industrial development in an rea not previously geared politically nd economically to dealing with large cale industry and a rapid population ncrease. It does not oppose such expansion but indicates that it would ntail grave risks unless preceded by igorous cooperative planning and action by state, local and perhaps federal authorities. The problem is rendered particularly difficult because of he multiplicity of small local governments likely to be involved and because economic and social problems would extend far beyond the municipality or municipalities whose tax coffers were enriched directly by the mill.

Bureau Reports

The following organizations have recently issued reports: Nevada Taxpayers Association, "Twenty-Ninth Annual Report," *Nevada Tax Review,* April 1951; Toronto Bureau of Municipal Research, *Thirty-Seventh Annual Report, 1951*; Civic Research Council of Flint (Michigan), in a letter to the members presents "highlights of the activities during the first five months of 1951"; Syracuse Governmental Research Bureau, *6 Cases of Effective Governmental Research,* highlights of "two years of intensive research bureau activity."

Bureau Notes

The Wyoming Taxpayers Association has issued a "Budget Calendar for Fiscal 1952 for Governmental Units" to keep local budget officials informed.

The work and accomplishments of the Pennsylvania Economy League are discussed in "How to Houseclean a State," by Beverly Smith, Washington editor of the *Saturday Evening Post,* in the April 14 issue of that publication. It is available in reprint form.

In an address before the Milwaukee Board of Realtors on May 29 Norman N. Gill, director of the Milwaukee Citizens' Governmental Research Bureau, discussed the "Progress Report on the City's Administrative Survey." Copies of Mr. Gill's speech are available through the bureau.

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New Research Group

A new citizens' research group, the Public Affairs Research Council of Louisiana, has been organized with offices in Baton Rouge. Robert W. French is executive director, Edward J. Steimel is director of public information, and Kimbrough Owen, formerly director of research with the Louisiana State Law Institute, is director of research.

* * *

Strictly Personal

Homer E. Scace, formerly of the Institute of Public Administration (New York) is now director of the Department of Governmental Affairs of the Empire State Association of Commerce in Albany.

Research Pamphlets and Articles

Accounting

Manual of Accounts for Tennessee Municipalities. By W. Harold Read and William R. Snodgrass. Knox-

ville, University of Tennessee, Municipal Technical Advisory Service in cooperation with the Tennessee Municipal League, 1951. 85 pp.

Administrative Officials

Selection and Tenure of Municipal Administrative Officials. Results of a Survey of 416 Cities and Villages. Madison 3, League of Wisconsin Municipalities, *The Municipality,* April 1951. 3 pp.

Budgets

Analysis of the Proposed City of Houston 1951 Budget. Houston, Tax Research Association of Houston and Harris County, 1951. 13 pp.

Capital Budget for 1951-52. Buffalo's 1951-52 Budget. Buffalo's Budget. Buffalo 2, Municipal Research Bureau, *Just a Moment,* May 3, 10, 17, 1951. 4 pp. each.

The Mayor's Budget. Detroit 26, Bureau of Governmental Research, *Budget Backgrounds—2,* April 23, 1951. 2 pp.

The New York City Budget and Management Improvement. By Harold Riegelman. New York 17, Citizens Budget Commission, 1951. 50 pp.

Pay Increases, Civilian Defense and Child Welfare Costs Raise Budget. San Francisco, Bureau of Governmental Research, May 4, 1951. 1 p.

Performance Budgeting in Connecticut. By Robert Ralston, Jr. New York 20, Governmental Research Association, *GRA Reporter,* March-April 1951. 3 pp.

The State Budget System of Arkansas. By Henry M. Alexander. Fayetteville, University of Arkansas, Institute of Science and Technology, 1951. 42 pp.

Statement on the Expense Budget. Statement on the Education and Library Budgets for 1951-1952. By George H. Hallett, Jr. New York 7, Citizens Union, 1951. 7 and 6 pp. respectively.

City Councils

Councilmen in the Cities and Town of Iowa. By Russell M. Ross. Burlington, League of Iowa Municipalities *Monthly Magazine,* March 1951. 2 pp.

City Officials

The Appointment of City Officials Sixth Quadrennial Issue. ("Data t which the mayor should give carefu attention in making" top appoint ments.) Baltimore 2, Commission o Governmental Efficiency and Econ omy, *Your Tax Dollar,* May 1951. 1 pp.

City Trusts

Managing City's Trusts. System Se Up in 1869 to Administer City's Trust Has Functioned Very Efficiently. Phil adelphia 7, Bureau of Municipal Re search, *Citizens' Business,* May 21, 1951 3 pp.

Council-Manager Government

City Costs under the Manager Plan (Shows general operating costs lowe in first year.) Des Moines, Taxpayer Association, *Civic Flashes,* April 30 1951. 1 p.

A Factual Analysis of the Adminis tration Organization of Council-Man ager Cities in Michigan. By Rober E. Beck and Dale W. Bulemore. An Arbor, University of Michigan, Insti tute of Public Administration, Burea of Government, *Papers in Public Ad ministration No. 6,* A Series of Graduat Students' Reports, 1950. 33 pp. Table

County Government

County Government in Tennessee A I See It. By C. Howard Bozeman Knoxville, University of Tennessee Bureau of Public Administration, *Ten nessee Government,* March-April 195 3 pp.

Debt

The City's New Loans Proposals- Part 1. **The City's New Loans Pro posals—**Part 2, **The Commission Position Regarding Each Loa** "Study of the facts has convinced th

ommission that the May 8th vote n the proposed loans should be: For chools, Port, Highway, Off-street arking, Incinerator, Fire and Conuits," ($44,500,000); "Against Public uildings, Street Lights and Traffic ignals," ($5,000,000). Baltimore 2, ommission on Governmental Efficiency and Economy, *Your Tax Dollar,* pril 23 and 25, 1951. 4 and 7 pp. espectively.

San Francisco's Bonded Debt. San rancisco, Bureau of Governmental esearch, April 11, 1951. 2 pp.

Education

Board of Education Budget. Detroit 6, Bureau of Governmental Research, *udget Backgrounds*—3, April 30, 1951. pp.

Comparison of Amounts Spent by tate Governments for Schools—1950. er Cent of Population Attending chools and Per Cent of Total Income pent for Education. Salt Lake City, Utah Foundation, *Research Brief,* May 951. 2 pp. each.

Financing Public Schools in Utah. alt Lake City 1, Utah Foundation, *Research Report,* May 1951. 6 pp.

A Guidebook of the County Superntendent of Education. By Robert Baker Highsaw and Harold Stanley Thames. University, University of Mississippi, Bureau of Public Administration, 1951. 58 pp.

$300 Million State School Aid. Use f Building Fund Reported. By Shelby F. Harper. Los Angeles 14, California Taxpayers' Association, *The Tax Digest,* April 1951. 8 pp. Tables. 25 ents.

Watchful Waiting. The School Districts Look to Harrisburg. Pittsburgh 22, Pennsylvania Economy League, Western Division, *P. E. L. Newsletter,* May 1951. 8 pp.

Employment

A Report on the Economy, Labor Force, Employment and Unemployment Compensation. Charleston, West Virginia Department of Employment Security, 1951. 42 pp. Charts.

Federal-Local Relations

Municipalities Face Federal Controls. Waterbury 2, Connecticut, Taxpayers' Association, *Governmental Briefs,* April 14, 1951. 2 pp.

Fire Insurance

Fire Insurance Coverage in Washington School Districts. (With comparative data on state insurance funds in nine states.) By George D. Smith. Seattle, University of Washington, Bureau of Governmental Research and Services, 1951. 65 pp. $1.50.

Home Rule

Preserve Home Rule. State Legislature Should Not Whittle Away City's Newly Won Home Rule Privileges. Philadelphia, Bureau of Municipal Research, *Citizens' Business,* April 30, 1951. 4 pp.

Legislation

1951 Legislative Review. Denver, Colorado Public Expenditure Council, *Colorado Taxpayer,* March 1951. 8 pp.

Legislative Councils

Report of the Holdover Committee of 1949 to the Twenty-Sixth Legislature of the Territory of Hawaii. (Review of activities and summaries of recommendations on civil service, education, etc.) Honolulu, University of Hawaii, Legislative Reference Bureau, 1951. 69 pp.

Management

Blueprint for Improvement. Concerning Ways and Means of Increasing Administrative Efficiency and Achieving Administrative Economies. Some Brass Tacks About the Job of an Administrator. (Although prepared primarily for voluntary organizations, these reports are available and may be helpful to municipal administrators.) New York 12, Albert Pleydell Associates, 1950 and 1951. 4 pp. each.

Metropolitan Areas

Are Suburbs Necessary? (A strong statement of the case for annexation.) By Charles Alan Wright. Minneapolis, University of Minnesota, Law Review Foundation, *Minnesota Law Review,* March 1951. 15 pp.

The Borough System of Government for Metropolitan Areas. Report of Subcommittee to Assembly Interim Committee on State and Local Taxation. Sacramento, the Committee, 1951. 80 pp.

Final Report. Committee on Metropolitan Problems. Toronto, Civic Advisory Council, 1951. xiv, 53 pp.

Municipal Government

Greeneville's Government. A Study of the Organization and Administration of the Government of Greeneville, Tennessee. Knoxville, University of Tennessee, Bureau of Public Administration, in cooperation with the Bureau of Research of the College of Business Administration, the Tennessee State Planning Commission and the Tennessee Valley Authority, 1950. 160 pp. Tables.

How Florida Cities Get Their Government. By Hulda Grobman. Gainesville, University of Florida, Public Administration Clearing Service, 1951. 10 pp.

Municipal Incorporation and Organization in Texas. Austin, University of Texas, Institute of Public Affairs, 1951. 31 pp. 75 cents.

Parking Meters

Parking Meter Funds. Sioux City, Iowa, Woodbury County Taxpayers Conference, *Bulletin,* May 18, 1951. 1 p.

Personnel

City Personnel. Providence 3, Rhode Island, Governmental Research Bureau, May 1951. 3 pp.

A Common Sense Personnel Program. By Kenneth O. Warner. Knoxville, University of Tennessee, Division of University Extension, Municipal Technical Advisory Service *Tennessee Town & City,* April 1951 4 pp.

For Good Public Administration A Study of Indiana State Government's Three Employment Policies Indianapolis 4, Indiana State Chamber of Commerce, 1951. 6 pp.

Public Buildings

Public Building Administration in Utah. Salt Lake City 1, Utah Foundation, *Research Report,* April 1951. pp.

Public Health

Administrative Organization of State Departments of Mental Health. By Dorothee E. Strauss. Ann Arbor, University of Michigan, Institute of Public Administration, Bureau of Government, *Papers in Public Administration No. 6,* A Series of Graduate Students Reports, 1950. 37 pp. Tables.

City's Health Obligations Need Definition. Providence, Rhode Island Governmental Research Bureau, April 1951. 2 pp.

Purchasing

Spending Calls for Teamwork o No Stalks for the Elephants! By Albert Pleydell. (Address before Boston Chapter of the National Office Management Association, April 2 1951.) New York 12, Albert Pleyde Associates, 1951. 5 pp.

Reapportionment

Legislative Reapportionment. (Includes comparative data on othe states.) By Margaret Greenfiel Berkeley, University of California, Bureau of Public Administration, 195 57 pp. $1.25.

Research

Current Research Projects in Publ Administration, 1951. Chicago 37, Public Administration Service, 1951. 48 p $1.

Retirement Systems

Accent on Pensions. The League Works with a House Committee. Pittsburgh 22, Pennsylvania Economy League, Western Division, *P. E. L. Newsletter,* April 1951. 4 pp.

How Shall the Cost of Liberalizations in Retirement Systems Be Shared as Between the Public and the Employee? Milwaukee 2, Citizens' Governmental Research Bureau, *Bulletin,* May 22, 1951. 3 pp.

Salaries

City Personnel Costs. Detroit Teachers' Salaries. Detroit 26, Bureau of Governmental Research, *Budget Backgrounds—4 and 5,* May 2 and 7, 1951. 2 pp. each.

$1,200,000 Teachers' Salary Raise Recommended by Harvard Consultant. San Francisco, Bureau of Governmental Research, *Bulletin,* March 27, 1951. 2 pp.

Shall School Board Salaries Be Increased? Miami 32, Dade County Research Foundation, *Newsletter,* May 7, 1951. 3 pp.

Sewers

Buffalo Sewer Authority. Buffalo 2, Municipal Research Bureau, *Just a Moment,* April 19, 1951. 3 pp.

Streets and Highways

Programming Street Maintenance and Improvements. Philadelphia 4, University of Pennsylvania, Associated Institutes of Government of Pennsylvania Universities, *Municipal Administration,* April 1951. 4 pp.

Taxation and Finance

The City Deficit. Schenectady 5, New York, Bureau of Municipal Research, *Research Brevities* April 5, 1951. 6 pp.

Should Indiana Permit Cities and Towns to Levy New Types of Local Taxes? A 1951 Legislative Issue. Indianapolis 4, Indiana State Chamber of Commerce, 1950. 8 pp.

The County Sales Tax and Other Local Revenues. By Eugene C. Lee. Berkeley, University of California, Bureau of Public Administration, 1951. 31 pp. $1.

County Tax Levies. Buffalo 2, Municipal Research Bureau, *Just a Moment,* March 8, 1951. 4 pp.

The Effects of Tax Exemptions. By Francis J. Carr. An Address to the Annual Convention of County Auditors and County Tax Collectors, Oakland, February 14, 1951. Los Angeles 14, California Taxpayers' Association, *The Tax Digest,* May 1951. 7 pp. 25 cents.

Finances, City of Poughkeepsie. Part 1, Summary and Recommendations; Part 2, Revenue and Assessments; Part 3, Expenditures and Debt. Poughkeepsie, Area Development Association, 1950 and 1951. 16, 29 and 32 pp. respectively.

Financing Sewer Construction in a Pennsylvania Municipality. Philadelphia 4, Associated Institutes of Government of Pennsylvania Universities, *Municipal Administration,* May 1951. 3 pp.

Financing the Pension Funds of Chicago's Local Governments. Chicago 2, The Civic Federation, *Bulletin,* March 1951. 7 pp.

General-Fund Receipts. Revenues Reached All-Time High in 1950, with Real Estate Taxes Equaling 40% of Total. Philadelphia 7, Bureau of Municipal Research, *Citizens' Business,* April 16, 1951. 4 pp.

New Jersey's 1951-52 Appropriations Bills. Trenton 8, New Jersey Taxpayers Association, *It's Your Business,* April 1951. 7 pp.

New or Higher Taxes Are Not the Answer to State's Crisis. Tax Dodging Reaches New High. Little Rock, Arkansas Public Expenditure Council, *You and Your Government,* April 1951. 3 pp.

Books in Review

Albuquerque and the City Manager Plan 1917-1948. By Dorothy I. Cline. Albuquerque, University of New Mexico, Department of Government, Division of Research, 1951. vii, 48 pp. 50 cents.

A narrative and analysis of 31 years in New Mexico's largest city under council-manager government without achieving Utopia. According to the study, commission (council) members have commonly refrained from delegating detail to the manager and have encountered no local civic organizations asserting the general interest against pressure groups and personal factions. Two city commissioners over a period of years have exercised strong leadership, usurping "administrative functions by employing and removing city employees. They conferred with and often gave orders to department heads; they negotiated contracts and advised the city manager on administrative practices, personnel matters and city purchases."

The author's conclusions are not supported by many experts in the municipal government field. The experience is opposite to the prevailing trend under the council-manager plan although it is not unique. The remedy is not in reverting to partisan elections, as vaguely suggested, and looking for direction to a smoke-filled party headquarters.

Perhaps what Albuquerque needs is a revival of citizen interest—witness recent events in a city not too far away, Phoenix, Arizona.

Financing Canadian Government. By A. E. Buck. Chicago, Public Administration Service, 1949. xi, 367 pp. $5.

This is a comprehensive and authoritative review, particularly for American consumption, of how our northern neighbor manages its finances, as well as a comparison with our practices some of which are shown to be inferior.

Much of the volume is devoted to finance on the national level—structure, formulation and adoption of the budget, revenue and expenditure both in wartime and peace—including the depression, audit, debt, controls, etc. But ample attention is paid also to provincial and municipal finance since, says the author, "During recent years it has become increasingly apparent that whatever action is taken in the federal-provincial field vitally affects the finances of all three levels of government—national, provincial and municipal."

The Federal Budget in Brief. Fiscal Year 1952 (July 1, 1951—June 30, 1952). Washington, D. C., Executive Office of the President, Bureau of the Budget, 1951. 42 pp. 20 cents. (Apply Superintendent of Documents, Washington 25, D. C.)

First published a year ago, this is a useful primer, making good use of pictorial statistics. It sets an example for state and local budget officials in the preparation of reports for public consumption.

Additional Books and Pamphlets

(See also Researcher's Digest and other departments)

Automobile Allowances

Allowances for Use of Private Automobiles on Public Business. Chicago 37, Municipal Finance Officers Association of the United States and Canada, 1951. 4 pp. 50 cents.

Defense

Mobilization Planning and the National Security 1950-1960. Problems and Issues. Also Appendices I: Background of Mobilization World War I to Pearl Harbor; II: Statutes and Executive Orders on Civilian and Industrial Mobilization; III: Manpower Planning and Control (by Howard K. Hyde); IV: Reorganization of the National Security Resources Board. By William Y. Elliott. Washington, D. C., Library of Congress, Legislative Reference Service, 1950. 188, 34, 42, 5 and 4 pp. respectively.

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HAVE I KEPT THE FAITH?

(Continued from page 353)

are eager for business leaders' views; people have much respect for businessmen's practical experience and know-how. I see no insurmountable obstacle to a businessman's emergence as an outstanding citizen leader.

There's no reason why the people of the United States should not find in your generation of business people a number of men they will look to as being among the "Fathers of our country."

Don't worry too much whether you are up to uttering imperishable words. Don't be afraid of making mistakes now and then. People will forget your words and forget or forgive your errors in citizenship, but they will remember and honor you for your civic leadership and its reassurance. You and the whole country will gain.

Among you are the thousan upon thousands of civic leade America needs beyond all else. Up your individual answers rests t course of history.

Inferior leaders have assum roles far beyond their due. Ma persons without leadership qualific tions have become parasitic holde of office. We simply do not ha enough able and willing leaders go around, as yet. If Americ business is to reap its destiny, n is the time for individuals to co forward.

CRIME UP TO STATES AND CITIES

(Continued from page 359)

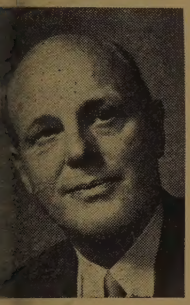
the voting public to insure that th representative governments at levels are made up of men who a not open to corruption or persuasi by criminals and racketeers.

Unless the public expresses affirmative desire for the eliminati of organized criminal operations a official corruption through the c tinued exercise of the vote, throu active participation in the work such organizations as local and st crime commissions, and through careful attention to the efficie and honesty of the men whom t employ to govern them, there be no real and lasting progress ward the elimination of organi criminal activity in this country

Ultimately success in the against crime depends on the lifting of standards of public private morality, a rededication basic spiritual values, which will tail righteous indignation over cr and corruption.

ditors Find Time for Varied Interests

The co-editors of the REVIEW's Pro-tional Representation department sess between them an impressive nical background in a variety of ds, including mathematics, law, engi-ring, writing and civic leadership. George H. Hallett, Jr., generally gnized as the country's outstanding authority on P. R., earned his Ph.D. in mathematics at the University of Pennsylvania but quickly turned to civic work as assistant secretary and later secretary of the Proportional Representation League.



orge H. Hallett, Jr.

As secretary of the Citizens Union of City of New York since 1934, he has yed a leading role in many notable ic campaigns such as the fight for w York's charter of 1936 and the olition of New York's five county vernments (which has saved the city ny millions of dollars as well as ting an army of political drones off public payroll).

It takes more than five inches in *ho's Who in America* to list Dr. Hal-t's many activities and accomplish-nts, which include the drafting of merous city charters and city and unty home rule legislation.

Wm. Redin Woodward, co-editor of P. R. department since 1946, in ivate life is a patent attorney in the legal department of the American Telephone and Telegraph Company.

His first interest in P. R. came when, as a senior at Dickinson College, he participated in a model constitutional convention in 1934 which proposed a unicameral legislature to be elected from seven large Pennsylvania districts by P. R.

Although finding time in later years to study mathematics and physics at Heidelberg University, Germany, graduate *magna cum laude* from Harvard Law School and to study chemical and radio engineering at the University of Michigan and at Tufts College on the side while pursuing his career in law, he continued his involvement in civic and election problems.

He worked in the 1940 campaign which won the council-manager plan with P. R. for Cambridge, Massachusetts, served as president of the Plandome Heights (New Jersey) Civic Association, is president of a parent-teacher association and has served as vice chairman of the Young Republican organization of his county.

Wm. Redin Woodward

His home life is enlivened by three children, a wife whose hobby is decorating and firing tiles and by the operation of amateur radio station W2ROY.

Industrialist Issues Civic Challenge

If Colby Mitchell Chester, famed industrialist, had an opportunity to repeat his highly successful career he would find more time for civic affairs, he makes clear in his article on page 351.

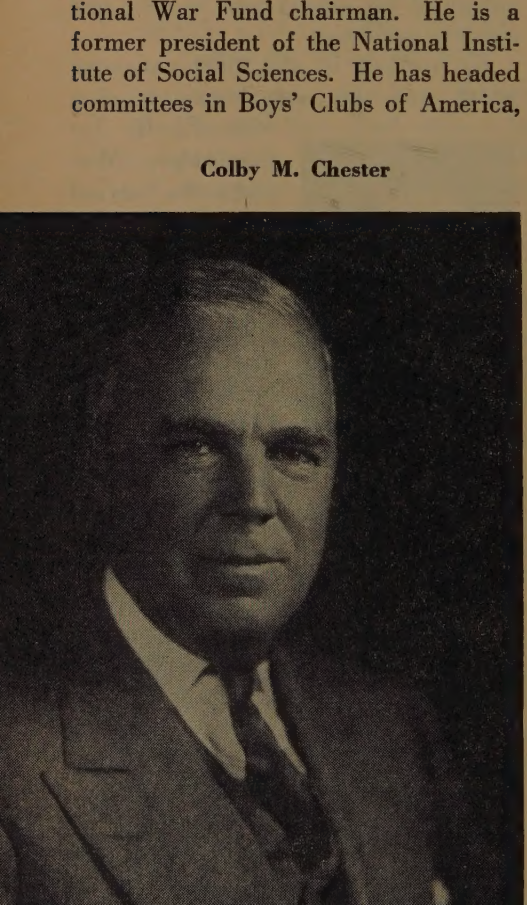
The article, based on an address he made recently before the Bridgeport Chamber of Commerce, is given added point as a challenge to businessmen to accept their responsibilities for civic leadership by the fact that Mr. Chester's own devotion to good causes has been as well known as his leadership in the business world.

Mr. Chester, who is chairman of the board of the New York Chapter of the American Red Cross, served in 1943 as chairman of the Red Cross War Fund of Greater New York and in 1945 as National War Fund chairman. He is a former president of the National Institute of Social Sciences. He has headed committees in Boys' Clubs of America, United China Relief and United Hos tal Fund.

He has also been active for years the National Association of Manuf turers, serving in many capacities cluding president and chairman of board.

He left the practice of law for bu ness and, as president of the Post Cereal Company, led the organizat in a program of expansion wh merged fifteen other well known f companies and became General Fo Corporation. He was president, ch man of the board and chairman of executive committee before becom honorary chairman of General Foods 1946.

Colby M. Chester



Blind Voting

He had a vision 40 years ago, and s has it. Richard S. Childs, New Y businessman and former president the National Municipal League, for long has been preaching the gospel the short ballot, a term which he vented.

The theory of the short ballot is busy voters can keep track of only a elected officials at a time. When 40 50 offices are to be filled, as is often case in a sizeable city, most of them be voted on unintentionally. If no m than five posts were on the ballot, e cially if these were for positions in public eye, the electors could k whom they were voting for. On the ditional long ballot, they can mak personal selection of only a few. the rest they have to take the politici choice, and pretend it is their own.

The short ballot has made impor gains during the 40 years of Ch battle. He hopes for more.—Edito Cohoes (New York) *American.*